

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 11403 of 2025**

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SEJAL D/O GORDHANBHAI W/O VIPULBHAI PANCHAL

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR PURVANG D PANCHAL(10869) for the Applicant(s) No. 1

RAFIK LOKHANDWALA(5590) for the Applicant(s) No. 1

MR RONAK RAVAL APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 17/06/2025

ORAL ORDER

1. Heard learned advocate Mr. Rafik Lokhandwala appearing for the applicant and learned Additional Public Prosecutor Mr. Ronak Raval appearing for the respondent – State.

2. Learned advocate Mr. Rafik Lokhandwala appearing for the applicant submitted that though the FIR was registered on 13.3.2025 for an incident occurred on 12.3.2025 whereby the dead body of the deceased daughter of the complainant was

found and in her suicide note she has mentioned that the present applicant who is a singer by profession was torturing her mentally and on that basis the present applicant is arraigned as accused No.2 in the offence in question.

3. Learned advocate Mr. Rafik Lokhandwala submitted that except for naming the applicant in the suicide note, there is no material against the present applicant. At the best it can be said that the present applicant and the deceased girl both were in love with a boy viz. Sura and the present applicant has not been attributed with any other role but of mental torture. He, therefore, submitted that mental torture has a very wide meaning and merely because the name of the present applicant is written in the suicide note it cannot be presumed that it is on account of some instigation or some act of the present applicant, the deceased girl has committed suicide.

4. Investigating Officer is present before this

Court along with the investigation papers and therefore, the Court had gone through the suicide note of the deceased girl. Prima-facie, from the suicide note it seems that the suicide note is aimed mainly against the co-accused and there is only a reference about the present applicant and their also there are no specific allegation against the present applicant about any particular act or on a particular occasion, how the deceased was treated by the present applicant. Further, upon inquiry from learned Additional Public Prosecutor, the Court found that the investigation is going on. However, even from the investigation taken placed so far, learned Additional Public Prosecutor could not point out any material against the present applicant except for the stereotype statement of relatives of the deceased girl.

5. In view of above, prima-facie, the Court is of the view that the applicant has made out a case for grant of ad-interim relief. Accordingly, following order is passed :-

"Issue NOTICE to the respondents making it returnable on 16.7.2025. Learned Additional Public Prosecutor waives the service of notice on behalf of the respondent No.1 – State. Direct service to respondent No.2 is permitted. To be served through concerned Police Station. In the meantime, though investigation may go on, there shall not be any coercive action against the present applicant and charge-sheet qua present applicant may not be filed without permission of this Court."

(NIRZAR S. DESAI,J)

Pallavi