

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 9602 of 2025**

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DHIRENDRASINH PARVATSINH SOLANKI & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR. MAULIK M SONI(7249) for the Applicant(s) No. 1,2

MR KRUTIK PARIKH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 15/07/2025

ORAL ORDER

By way of present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, the petitioners – accused No.2 – Dhirendrasinh Parvatsinh Solanki and accused no.4 – Dilipsinh Ramsinh Chauhan, have sought quashing of the FIR being **CR No.11188008250408 of 2025 registered with Modasa Rural Police Station, District Aravalli**, for the offence punishable under Sections 115(2), 189(2), 190, 191(2), 221 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

Heard learned Advocate for the petitioners and learned APP for the State.

Learned Advocate for the petitioners has submitted that the complaint is filed with oblique motive with a view to save the skin of police authority and their illegal act as they used to collect illegal money from the vehicle owner under the threat of issuing challan. In this connection the petitioner – accused had recorded the video of entire incident in his mobile which came to be uploaded on Facebook and keeping the grudge of the said fact the complaint is filed. No alleged incident took place and

no use of criminal force and even no voluntary injury is caused. The complaint itself also clearly reveals that no evidence of alleged offence is *prima facie* found. Hence, present petition deserves consideration.

RULE returnable on **25.09.2025**.

Learned APP waives service of notice of Rule for and on behalf of respondent No.1 – State of Gujarat.

Respondent No.2 to be served through the concerned police station.

There shall be **no coercive steps against the petitioners – accused No.2 – Dhirendrasinh Parvatsinh Solanki and accused no.4 – Dilipsinh Ramsinh Chauhan** however, the investigation shall continue.

Direct service is permitted.

(HASMUKH D. SUTHAR,J)

ANKIT JANSARI