

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 15160 of 2026

=====

ASHOKBHAI DEVSHIBHAI AKBARI
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:

MR. PANISTHA R. BHATT(19738) for the Applicant(s) No. 1
MS NIKITA P RAO(12868) for the Applicant(s) No. 1
MS MONALI BHATT, PUBLIC PROSECUTOR for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 23/07/2026

ORAL ORDER

1. Learned advocate, Mr. Bhatt, appearing for the applicant submitted that the FIR is filed after the delay of about 10 days and as per the allegations leveled in the impugned FIR, when the complainant reached the place of incident, the present applicant asked him to leave the said place. It was submitted that merely by asking the complainant to leave the place of occurrence, would not amount to criminal intimidation.

1.1 As per the allegations in the FIR, the second incident took place in the police station and it is alleged that abusive language was used by the present applicant against the cousin brother of the complainant, where, he allegedly said that he was a beggar and he is having nothing.

1.2 It was submitted that merely by uttering those words, even if they are accepted as a gospel truth, would not constitute under Sections 351(1) and 352 of the BNS.

2. Considering the above submissions, **Notice**, returnable on **10th September, 2026**. Learned APP waives service for the Respondent-State.

2.1 Though, the instigation may go on, the charge-sheet qua the present applicant **shall not** be filed without the prior permission of this Court.

UMESH/-

(M. K. THAKKER,J)