

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 9787 of 2025**

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HEMENDRABHAI JILUBHAI KOTILA & ANR.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR HARSH R JOSHI(12752) for the Applicant(s) No. 1,2
MR TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

**Date : 16/07/2025
ORAL ORDER**

- 1) Heard Mr. Harsh R. Joshi, learned counsel for the petitioners and Id. APP for the respondent State.
- 2) By way of this petition, the petitioners have prayed for quashing and setting aside Criminal Case No.573/2024 pending before the Court of learned Principal Senior Civil Judge and Addl. Chief Judicial Magistrate, Dhari, arising from FIR being C.R. No.11193018240325 of 2024 registered at Dhari Police Station, for the offence under Sections 504, 506(2) and 34 of IPC and Sections 40, 40(a) and 42(d) of the Gujarat Money Lenders Act, 2011.
- 3) Learned counsel for the petitioners has submitted that, the alleged incident took place on 04.11.2019, whereas the FIR has been filed on 01.07.2024 i.e. after a delay of 5 years. So far offence under the Gujarat Money Lenders Act is concerned, neither any authorized officer has filed a complaint, nor any permission is taken from the competent authority.
- 4) In view of the above, petition deserves consideration. **Rule**, returnable on **25.09.2025**. Id. APP waives Rule for the respondent State. Respondent No.2 to be served through the concerned Police Station. Meanwhile, **ad-interim relief in terms of para 7 (C)** is granted.

SUCHIT

(HASMUKH D. SUTHAR,J)