

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 10031 of 2025**

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BHIKHABHAI LALBHAI PATEL & ANR.**Versus****STATE OF GUJARAT & ANR.**

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Appearance:

MR JUCKY LUCKY CHAN(8033) for the Applicant(s) No. 1,2

MR VIKASKUMAR B PATEL(9888) for the Applicant(s) No. 1,2

MR ROHAN SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 21/07/2025****ORAL ORDER**

Heard learned advocate appearing for the petitioners and learned APP for respondent No.1 – State of Gujarat.

By way of present petition, the petitioners have sought quashing of the FIR being CR No.11216002250007 of 2025 registered with Mahila Police Station, District Gandhinagar filed at the instance of respondent No.2 herein – original complainant for the offences under Sections 85, 352, 115(1) and 54 of the Bharatiya Nyaya Sanhita, 2023 and section 4 of the Dowry Prohibition Act, which culminated into Criminal Case No.2790/2025 pending before the Court of learned 6th JMFC, Gandhinagar.

Perusing the record it appears that petitioner No.1 is father in law and petitioner No.2 is mother in law of respondent No.2 who has made general and vague allegations. Further, husband is not before this Court and even otherwise marriage span is of 14

years.

Considering the aforesaid fact and the law laid down by the Hon'ble Supreme Court in the case of **Preeti Gupta and another vs. State of Jharkhand and another [(2010) 7 SCC 667]**; **Achin Gupta vs. State of Haryana** reported in **2024 INSC 369**; **Geeta Mehrotra and Anr. vs. State of Uttar Pradesh & Anr.** reported in **(2012)10 SCC 741**; **Kahkashan Kauar @ Sonam & Ors. vs. State of Bihar and Ors.** reported in **2022 LiveLaw (SC) 141** and **Mahalakshmi & Ors. vs. The State of Karnataka & Anr.** reported in **2023 INSC 1050**, petition deserves consideration.

Hence, **RULE** returnable on **25.09.2025**.

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

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

In the meantime, there shall be **interim relief** in terms of **paragraph No.6(b)** of the petition.

(HASMUKH D. SUTHAR, J.)

Ajay