

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 11748 of 2018**

With

R/CRIMINAL MISC.APPLICATION NO. 14537 of 2018

With

R/CRIMINAL MISC.APPLICATION NO. 23634 of 2019

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AADAMBHAI NASIRBHAI CHAUDHARY & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR ANKIT Y BACHANI(5424) for the Applicant(s) No. 1,2

MS MONALI H BHATT, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE DEVAN M. DESAI

Date : 11/10/2024

ORAL ORDER

**ORDER IN R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO.11748
of 2018:-**

Learned Senior Counsel Mr. Harshit Tolia with learned advocate Mr. Ankit Y. Bachani for the petitioners seeks time to place on record certain documents.

Stand over to 21.11.2024.

ORDER IN R/CRIMINAL MISC.APPLICATION NO. 14537 of 2018:-

1. Heard learned Senior Counsel Mr. I. H. Syed with learned advocate Mr. Dharamveersinh J. Solanki and learned APP Ms. Monali H. Bhatt for the respondent-State.

2. Prima facie, it appears from the FIR that incident of the alleged offence has started from 2002-2003 and from the record, it appears that in 2009, the four child were born to the complainant and thereafter, as per the statement of the victim, her husband left her. The impugned FIR is filed on 31.07.2018 and before that on 27.07.2018, accused No.3 has filed complaint against the elder members of the victim for the offence punishable under Sections 465, 467, 468, 471, 477 and 114 of the Indian Penal Code, 1860.

3. Rule. In the meantime, there shall be ad-interim relief in terms of para 6(B) of the petition.

ORDER IN R/CRIMINAL MISC.APPLICATION NO. 23634 of 2019:-

1. Heard learned Senior Counsel Mr. I. H. Syed with learned advocate Mr. Dharamveersinh J. Solanki and learned APP Ms. Monali H. Bhatt for the respondent-State.

2. Prima facie, it appears from the FIR that incident of the alleged offence has started from 2002-2003 and from the record, it appears that in 2009, the four child were born to the complainant

and thereafter, as per the statement of the victim, her husband left her. The impugned FIR is filed on 31.07.2018 and before that on 27.07.2018, accused No.3 has filed complaint against the elder members of the victim for the offence punishable under Sections 465, 467, 468, 471, 477 and 114 of the Indian Penal Code, 1860.

3. Learned APP Ms. Monali H. Bhatt for the respondent-State has placed on record the copy of the investigation report submitted by the Police Inspector, Palanpur Taluka, Police Station, which is taken on record. Learned APP submits that charge-sheet is filed and the stage of the trial is on framing of the charge.

4. In view of the above, issue requires consideration. Rule. In the meantime, there shall be ad-interim relief in terms of para 8(C) of the petition.

RINKU MALI

(D. M. DESAI,J)