

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 11298
of 2025

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AJAY R. MODY & ORS.
Versus
STATE OF GUJARAT & ORS.

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Appearance:

JAIMIN A GANDHI(8065) for the Applicant(s) No. 1,2,3
MS DHWANI TRIPATHI, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 13/08/2025
ORAL ORDER

- 1) By way of present petition under Articles 226 and 227 of the Constitution of India and under with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners have prayed to quash and set aside the **order dated 25.04.2025** passed in **Criminal Misc. Application No.1369 of 2025**, before the **learned Magistrate, Vadodara**.
- 2) One Criminal Misc. Application No.1369 of 2025, came to be filed under the Protection of Women from Domestic Violence Act, by the complainant – respondent no.2 against her husband and petitioners herein. The petitioner no.1 is father-in-law, petitioner no.2 is mother-in-law and petitioner no.3 is sister-in-law of the respondent no.2. The petitioner no.3 is residing separately with her husband since long. Perusing the complaint it appears that the allegations are against the accused no.1 i.e. husband of the respondent no.2. Whereas, perusing the averments made in the application against the petitioners that in the year 2021 the husband called the petitioners in their flat and all quarreled with

the respondent no.2 and thereafter caused mental harassment due to which the respondent no.2 had left the matrimonial house in April 2021. Except this no specific allegations are levelled in the complaint. The alleged incident took place in the year 2021, whereas, the impugned complaint is filed in the year 2025. Considering the nature of allegations which are general in nature, petition deserves consideration.

3) **RULE** returnable on **13.10.2025**.

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

Respondent Nos.2 and 3 to be served through the concerned police station.

- 4) There shall be **interim relief** in terms of **paragraph No.10(C)** of the petition **qua the present petitioners**.
- 5) Direct service is permitted.

(HASMUKH D. SUTHAR,J)

ANKIT