

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (DOMESTIC VIOLENCE) NO.
11268 of 2025

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GAUTAMBHAI MULUBHAI DHULA & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR YOGESHKUMAR A RATANPARA(7260) for the Applicant(s) No. 1,2,3,4
Ms DHWANI TRIPATHI, app for the respondent-State

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 14/08/2025
ORAL ORDER

1. Heard learned advocates for the respective parties.
2. By way of this petition under Section 528 of the BNSS, 2023/482 Cr.P.C., the petitioner has prayed to quash and set aside the complaint being Criminal Misc. Application No.1236 of 2025 pending before Chief Judicial Magistrate First Class, Junagadh as well as all the consequential proceedings arising therefrom.
3. Prima facie, it appears that respondent No. 2 is a self-earning lady and a government employee. Earlier, she had filed proceedings under Section 498, in which the present applicants were acquitted on 24.04.2025 by the learned Judicial Magistrate First Class, Junagadh, in Criminal Case No. 6949 of 2021. Subsequently, after three months, on the same set of facts, the present Criminal Misc. Application has been filed before the learned Chief Judicial Magistrate, Junagadh.

4. Considering the facts and circumstances of the case, the issue requires consideration. Hence, issue **RULE returnable on 14.10.2025**. Learned APP waives service notice of Rule for the respondent-State. Respondent No.2 be served through concerned police station.

5. Interim relief in terms of para **8(B)** is granted. Direct service is permitted.

(HASMUKH D. SUTHAR,J)

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