

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DOMESTIC
VIOLENCE) NO. 12224 of 2025**

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JAYDEVBHAI GHANSHYAMBHAI LAHSKARI & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MS POONAM M MAHETA(11265) for the Applicant(s) No. 1,2,3,4

MS. KITTY S MEHTA(7025) for the Applicant(s) No. 1,2,3,4

APP MR BHARGAV PANDYA for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 08/09/2025****ORAL ORDER**

By way of present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, the petitioners have sought quashing of Domestic Violence Application being Criminal Misc. Application No. 22 of 2025 pending in the Court of learned Principal Senior Civil Judge and Additional Chief Judicial Magistrate, Amreli filed under Sections 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005.

Perusing the record it appears that petitioner No.1 is husband, petitioner No.2 is brother in law, petitioner No. 3 is mother in law and petitioner No. 4 is sister in law of respondent No.2 and marriage span between petitioner No.1 and respondent No.2 is of 2.8 years and general and vague allegations have been made that petitioners used to taunt respondent No.2. Even, an FIR for the offence under Section 498A, 323, 504, 506(2), 114 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act allied offences has been registered by respondent No.2 against the

petitioners with Dhari Police Station, District Amreli.

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 **18.11.2025**.

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.8(B)** of the petition *qua* the present petitioners no.2 to 4 only.

Direct service is permitted.

(HASMUKH D. SUTHAR,J)

Kaushal Rathod