

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 11954 of 2025**

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ASHOKSINH HATHUBHA JADEJA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MS TASNIM A ZABUAWALA(10756) for the Applicant(s) No. 1

MR MANAN MAHETA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 02/09/2025****ORAL ORDER**

By way of present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, the petitioners has sought quashing of the FIR being **CR No.11993004250363 of 2025** registered with **Bhachau Police Station, Kachchh East – Gandhidham** for the offences under Section 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS") filed at the instance of respondent No.2.

Having heard learned advocate for the petitioner and learned APP for respondent No.1 – State and perusing the record it appears that impugned FIR is filed belatedly on 07.05.2025 for an incident which took place during the period between 09.04.2025 to 17.04.2025 in connection with alleged threat administered by the present petitioner to the wife of the complainant to vacate the house purchased by the petitioner in auction. *Prima facie*, it appears that the offence is non-cognizable for which impugned FIR is filed.

Considering the aforesaid fact, petition deserves consideration.

Hence, **RULE** returnable on **10.10.2025**.

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 9(B) of the petition qua present.**

Direct service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay