

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 11800 of 2024**

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NIRAV DILIPKUMAR BAUDHANWALA & ORS.  
Versus  
STATE OF GUJARAT & ANR.

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Appearance:

KAASH K THAKKAR(7332) for the Applicant(s) No. 1,2,3  
MR. BHARGAV PANDYA, ADDL. PUBLIC PROSECUTOR for the  
Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI****Date : 17/09/2024****ORAL ORDER**

At the outset, learned advocate Mr. Kaash K. Thakkar for the petitioners, upon instructions, does not press this petition qua the petitioner no. 1 – Husband. Accordingly, the present petition is disposed of as not pressed qua the petitioner no. 1 and the same would survive only qua the petitioners no. 2 and 3 who happen to be father-in-law and mother-in-law of the complainant.

It was also pointed out by learned advocate Mr. Kaash Thakkar that both the husband and wife were doubting each other and have claimed to have caught their extra marital affairs of each other and that is the root cause of dispute between the husband and wife for which an FIR is registered by the wife and present petitioners no. 2 and 3 have falsely been implicated in the aforesaid FIR just with a view to pressurize them and therefore, the FIR

amounts to abuse and misuse of process of law.

Considering the aforesaid submissions as well as upon perusal of FIR and the relevant material placed on record, issue NOTICE to the respondents returnable on 25.11.2024. Learned Additional Public Prosecutor waives service of notice on behalf of respondent – State. Direct service to the respondent no. 2 through concerned police station is permitted.

In the meantime, there shall be ad-interim relief in terms of paragraph no. 8 (c) qua the petitioners no. 2 and 3 only.

VARSHA DESAI

**(NIRZAR S. DESAI,J)**