

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO.11905 of
2024

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HIMATLAL DAHYALAL PARMAR & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance :

RAJPUROHIT R BHAWARLAL for the Applicants.
MS VRUNDA SHAH, APP for the Respondent No.1.

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 18/09/2024
ORAL ORDER

Learned advocate Mr. Kevan Patel states that he has an instructions to appear for the respondent No.2 - original complainant. He is permitted to file his appearance. Registry to accept the same.

2. Learned advocate Mr. Bhawarlal appearing for the applicants pointed out that the applicants are father-in-law, mother-in-law and sister-in-law who are arraigned as accused just with a view to misuse and abuse the process of law as the main allegations in the FIR are against husband and the allegations against the applicants are general in nature. Further, the incident narrated in the FIR qua the present applicants relates back to the year 2022 and FIR is registered in the year 2024 and, therefore, continuation of the proceedings qua applicants would amount to misuse and abuse of process of law.

3. Though learned advocate Mr. Kevan Patel vehemently opposed the petition by stating that the applicants are also equally responsible as they have caused harassment to the complainant, no relief be granted in their favour. However, he could not point out anything except for allegations of general nature against the applicants.

4. **RULE.** Learned Additional Public Prosecutor waives service of rule on behalf of respondent No.1 and learned advocate Mr. Kevan Patel waives service of rule on behalf of respondent No.2.

In the meantime, there shall be interim relief in terms of paragraph 9 (c) qua the applicants only.

(NIRZAR S. DESAI,J)

SAVARIYA