

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 20396 of 2024

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JABIRMIYA MAHAMMADMIYA MALEK
Versus
STATE OF GUJARAT & ORS.

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Appearance:

PARTY IN PERSON(5000) for the Applicant(s) No. 1
MS CM SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 10/12/2024

ORAL ORDER

Heard party-in-person – Jabirmiya Mahammadmiya Malek. He has submitted that the impugned order is passed by the concerned court without hearing him and the learned Family Court has awarded Rs.13,000/- of maintenance against his salary of Rs.30,000/-. He has submitted that to show his bonafide, he is ready and willing to deposit Rs.1,00,000/- within a period of two weeks' from today and further Rs.1,00,000/- within a period of two weeks' thereafter i.e. in all Rs.2,00,000/- within a period of four weeks' from today, before the concerned Family Court.

2. Considering the submissions made by the petitioner, the matter requires consideration.

3. The petitioner shall deposit Rs.1,00,000/- within a period of two weeks' from today and further Rs.1,00,000/- within a period of two weeks' thereafter i.e. in all Rs.2,00,000/- within a period of four weeks' from today, before the concerned Family Court.

4. On that condition, NOTICE returnable on 16.1.2025. Learned APP waives service of notice for respondent-state.

5. By way of ad-interim relief, the impugned order dated 8.8.2024 passed by the learned Family Court, Kheda at Kapadvaj passed in Criminal Miscellaneous Application No.1 of 2024 is stayed.

6. It is needless to say that on default of the above mentioned condition, the ad-interim relief granted by this Court stands vacated automatically.

(SANDEEP N. BHATT,J)

SRILATHA