

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 13121 of 2025**

=====

SHAILENDRASINH KHODUBHAI DODIYA
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:

MR AMRISH S BAROT(3551) for the Applicant(s) No. 1
MR PAWAN A BAROT(6455) for the Applicant(s) No. 1
MR MANAN MEHTA, APP for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 25/09/2025

ORAL ORDER

1. By way of this petition, the petitioner has prayed for quashing and setting aside the FIR being C.R.No. 11190004251141 of 2025 registered at Gadhada Police Station, Botad, for the offence under Sections 40, 42(2), 42(e) and 42(d) of the Gujarat Money Lenders Act, as well as other consequential proceedings arising therefrom.

2. Learned counsel has submitted that the petitioner has been falsely implicated in the offence and has not committed any act as alleged against him. The petitioner possesses a valid license under the Money Lenders Act and, accordingly, used to lend money. There are no specific allegations against the petitioner, and even the WhatsApp messages reveal that the petitioner neither made any demand nor harassed the family members. There is no proximate cause or suicide note suggesting the involvement of the petitioner.

3. Having heard learned counsel for the parties and going through the allegations levelled in the FIR, it appears that dispute is with regard to money transaction and in absence of ingredients of instigation under Section 54 of BNS as well as the law laid down in the case of **Mohit Singhal Vs. State of Uttarakhand, reported in 2023 INSC 1035**, petition deserves consideration. Hence, Rule, returnable on 24.11.2025. Ld. APP waives Rule for the respondent State.

4. Meanwhile, ad-interim relief in terms of para 6 (c) is granted. Respondent No.2 to be served through the concerned Police Station.

ALI

(HASMUKH D. SUTHAR,J)