

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 13172
of 2025

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HARSH KAMLESHBHAI MODI & ORS.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR. MAULIK M SONI(7249) for the Applicant(s) No. 1,2,3
MR MANAN MAHETA, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

Date : 26/09/2025

ORAL ORDER

- 1) By way of present petition under Article 226 of the Constitution of India, the petitioners have sought quashing of the **FIR No.11821003250014 of 2025** registered with **Mahila Police Station, Dahod**, for the offence punishable under Sections 85, 352, 351(2) and 54 of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS") read with Section 4 of the Dowry Prohibition Act.
- 2) Heard learned Advocate for the petitioners and learned APP for the State.
- 3) Learned Advocate for the petitioners has submitted that the petitioner no.1 is husband, petitioner no.2 is mother-in-law and petitioner no.3 is father-in-law of the complainant – respondent no.2. He has further submitted that after filing of proceeding against the complainant by the petitioner no.1, as a counterblast she has filed the impugned complaint. Perusing the allegations against the petitioner nos.2 and 3 the same are simple, general and vague in nature. Even otherwise whatever allegations are levelled considering the judgments of the Hon'ble Apex Court in the case of

Dara Lakshminarayan Vs State of Bihar, reported in **2025 (3) SCC 735**, and **Shobhitkumar Mittal Vs State of UP**, reported in **2025 INSC 1152**, present petition deserves consideration qua the petitioner nos.2 and 3 only.

4) **RULE** returnable on **01.12.2025**.

Learned APP waives service of notice of Rule for and on behalf of respondent No.1 – State of Gujarat.

Respondent No.2 to be served through the concerned police station.

5) There shall be **no coercive steps against the petitioner Nos.2 and 3 only**, however, they shall join the investigation. Direct service is permitted.

(HASMUKH D. SUTHAR,J)

ANKIT

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ANKIT YOGESHBHAI JANSARI(HCW0109), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 26/09/2025 17:11:16