

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 13759 of 2025**

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DIPAKKUMAR @ RAJU RAMPRASAD ACHARYA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR FAIZAL F MEMAN(13147) for the Applicant(s) No. 1

MS VRUNDA SHAH, APP for the Respondent(s) No. 1

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

**Date : 13/10/2025**

**ORAL ORDER**

1. By way of this petition, the petitioner has prayed for quashing and setting aside the FIR being C.R.No. 224 of 1997 registered at Ankleshwar City "A" Division Police Station, Bharuch, for the offence under Sections 364(A), 365, 368, 341, 342, 343, 346, 397 and 120B of the IPC and Sections 25(1)(A), 25(1)(A)(A) and 25-2(1)(A) of the Arms Act and as well as other consequential proceedings arising therefrom.

2. Learned APP has submitted a report prepared by the Police Inspector of Ankleshwar City "A" Division Police Station, Bharuch, which indicates that the alleged offence was committed approximately 28 years ago. In the year 2003, a warrant under Section 70 of the Cr.P.C. was issued against the petitioner, followed by the initiation of proceedings under Section 82 of the Cr.P.C. Subsequently, the petitioner has been arrested. The alleged offence was originally registered in the year 1997, during which time, 12 accused persons were arrested. Among them, accused Nos.2 to 5 and 11 were convicted and sentenced to life imprisonment. Accused No. 1 passed away, and accused Nos. 7 to 10 were acquitted.

3. The petitioner remained absconding during this period, and now the investigation is over and prosecution is in the process of filing a chargesheet. The petitioner is facing charges under Sections 364(A), 365, 368, 341, 342, 343, 346, 397, and 120B of the Indian Penal Code, as well as Sections 25(1)(A), 25(1AA), and 25(2)(A) of the Arms Act. Considering that the co-accused have already been convicted, and in light of the petitioner's past criminal antecedents and the prolonged trial and delay being attributable to the petitioner's absconding, no case is made out at this stage to grant any relief in favour of the petitioner.

4. For the foregoing reasons, petition is **dismissed**. However, in the event of filing of chargesheet in future, the petitioner shall be at liberty to file discharge application before the competent court.

**(HASMUKH D. SUTHAR,J)**

SUCHIT

Original copy of this order has been signed by the Hon'ble Judge.  
Digitally signed by: PATEL SUCHIT JAYESHBHAI(HC01083), Private Secretary, at High Court of Gujarat on 14/10/2025 15:49:55