

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC. APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO.23496 of 2024

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JAYSHREEBEN @ JAYABEN W/O BIPINBHAI SONARA & ORS.

Versus
STATE OF GUJARAT & ANR.

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Appearance :

MR. MAHITOSH U SINGH for the Applicants.

MR. MH SHEKHAWAT for the Applicants.

MR RONAK RAVAL, APP for the Respondent No.1.

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 11/06/2025
ORAL ORDER

Learned advocate Mr. Shekhawat draws attention of the Court to the fact that complainant herself is a Police Constable and the offence in question is essentially a family dispute whereby there are general allegations of giving kick and fist blows. He further submitted that though it is stated in the FIR that the complainant consumed finial, she was discharged from the Hospital and essentially, the dispute has taken place between the parties on account of some misunderstanding. He further submitted that the FIR was registered on 2.10.2024 for the incident which occurred on 29.9.2024 and though more than 7 months are passed, till date, no charge-sheet is filed. Even the investigation has also reached the advanced stage. He further submitted that even during all this time, though investigation has substantially over, except for the statement of complainant, there is nothing against the present applicant.

Even, learned APP Mr. Ronak Raval, upon instructions received from Mr. Gaurangbhai Kantilal Chavda, Police Constable, Buckle No.1139, Surendranagar City B Division Police Station who is personally present from the Court, could not dispute the aforesaid aspect.

Considering the above submissions, **issue notice to the respondents returnable on 30.6.2025**. Learned Additional Public Prosecutor waives service of notice on behalf of respondent No.1 – State. Direct service to respondent No.2 through concerned Police Station is permitted.

Till the next date of hearing, no coercive steps shall be taken against the present applicants. However, the Investigating Officer may proceed further with the investigation, however shall not file charge-sheet without prior permission of this Court.

(NIRZAR S. DESAI,J)

SAVARIYA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RAJNISH NARENDRA SAVARIYA(HC00179), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 11/06/2025 16:56:46