

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 19986 of 2023**

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NATVARLAL JIVARAMBHAI PRAJAPATI

Versus

STATE OF GUJARAT

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Appearance:

MR AV PRAJAPATI(672) for the Applicant(s) No. 1,2,3,4
for the Respondent(s) No. 2,3

MR PRANAV TRIVEDI, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 04/12/2023****ORAL ORDER**

1. Heard learned advocate Mr.A.V. Prajapati for the applicants and learned APP Mr. Pranav Trivedi for the respondent-State.

2. Learned advocate for the applicants stated that the present complaint is filed under Sections 10, 12, 17, 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 by the complainant and she has misused the process of law. It is further submitted that as earlier one complaint was filed in the year 2022 under Sections 498A, 323, 294B and 114 of IPC and Sections 3 and 4 of the Dowry Prohibition Act, wherein matter was compromised between the parties and 12th Additional Chief Judicial Magistrate, Surat vide order dated 24.02.2023 passed in C.C. No.53832 of 2022 and has been pleased to acquit all the applicants including the present petitioners. Further, learned advocate has requested to quash and set aside the impugned

complaint in form of Criminal Misc. Application No.6988 of 2023.

3. In view above, matter deserves consideration.

4. **Notice**, returnable on 10.01.2023. Learned APP waives service of notice on behalf of respondent-State.

Private respondent to be served through concerned Police Station.

5. Interim relief, in terms of para 17(C) is granted till the next date of hearing.

KUMAR ALOK

(HASMUKH D. SUTHAR,J)