

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 24419 of 2024

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SUNILKUMAR HIRALAL VEN & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR RAJA RAM BAJPAI(7188) for the Applicant(s) No. 1,2,3

MS JIRGA JHAVERI, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 13/12/2024

ORAL ORDER

1. Learned advocate for the applicants does not press this application qua applicant No.1. Therefore, present application is dismissed qua applicant No.1. Accordingly, the present application is considered by this Court qua applicants No.2 and 3 only.

2. Learned advocate for the applicants submits that applicants No.2 and 3 are the mother-in-law and father-in-law; and that they are falsely implicated in the offence in question with a view to harass the old aged parents; and that the allegations levelled in the impugned FIR are general in nature.

3. Learned APP for the State has opposed the submissions made by the learned advocate for the applicants and has submitted that the applicants are involved in the offence and this Court may not exercise the powers in their favour.

4. Considering the averments made in this application as well as considering the submissions made at the bar, matter requires consideration.

5. **Notice** returnable on 10.02.2025. Learned APP waives service of notice for and on behalf of the respondent – State.

6. In the meantime, interim relief in terms of Para : 16(C) of this application is granted, qua applicants No.2 and 3 only.

7. While conducting the matter, one blunder comes to the notice of this Court that the FIR impugned, which is on record, shows the only name of the husband as all the three accused persons. Such FIR is also presented before the concerned Court at Dhanera without verifying all the contents of the FIR. Such careless approach of the official concerned is required to be viewed strictly as process of adjudication of

litigation is hampered. Therefore, the concerned official shall explain such situation and send the report, through the concerned Deputy Superintendent of Police, to this Court on or before 20.12.2024. The Deputy Superintendent of Police to see that such mistakes/blunder will not be committed in future.

M.H. DAVE

(SANDEEP N. BHATT,J)