

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 23998 of 2022**

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KISHAN VINODKUMAR PATEL

Versus

STATE OF GUJARAT

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Appearance:

MS NAMRATA HARISHBHAI CHAUHAN(6534) for the Applicant(s) No.

1,2,3,4

for the Respondent(s) No. 2

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA**Date : 03/01/2023****ORAL ORDER**

Heard Ms. Namrata Chauhan, learned counsel for the applicants.

2. The applicants, who are in-laws and distant relatives of respondent No.2 have prayed for quashing of the criminal proceedings being Criminal Misc. Application No. 21 of 2022 filed by respondent No.2 - wife under the provisions of Protection of Women from Domestic Violence Act, 2005, which is pending before the Court of Id. JMFC, Mandal, Dist. Ahmedabad Rural and consequential proceedings arising out of it.

3. Mr. Counsel submitted that since last one year, the wife is residing separately and the allegations levelled against the applicants are general in nature.

4. Considering the allegations levelled against the applicants, it *prima facie* appears that due to marital discord with the husband, she has filed questioned FIR implicating the entire family members.

5. In such circumstances, matter deserves consideration. Hence, **Rule**, returnable on **05.06.2023**. Ms. Moxa Thakkar, Id. APP waives Rule for the State. Meanwhile, ad-interim relief in terms of para 9 B is granted qua the applicants. Trial Court is at liberty to proceed further against the husband in accordance with law.

Direct service is permitted.

(ILESH J. VORA,J)

SUCHIT