

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 13518 of 2022**

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RAKESH RASIKBHAI UNADKAT

Versus

STATE OF GUJARAT

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Appearance:

MR EKANT G AHUJA(5323) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MS MOXA THAKKAR, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE ILESH J. VORA**Date : 09/01/2023****ORAL ORDER**

1. Heard learned Senior Counsel Shri B.B. Naik assisted by learned advocate Mr. Ekant Ahuja for the applicant.

2. By way the application, the applicant – original accused seek quashment of the FIR registered with Ramol Police Station for the offences punishable under Sections 306 and 114 of the Indian Penal Code.

3. Learned Senior Counsel would submit that due to financial stress, the deceased committed suicide. As such, there was no any intention on the part of the applicant in the alleged act of suicide. He would further submit that the contents of the E-mail letter in the form of suicide note

would not satisfy the ingredients of Section 107 of the Indian Penal Code.

4. In such circumstances, it is submitted that the criminal proceedings is nothing but an amount of abuse of process of law.

5. Considering the contents of the FIR and material placed on record, the matter deserves consideration.

6. Let **Notice** be issued, returnable **08.02.2023**. Learned APP waives service of notice on behalf of respondent-State.

7. Direct service is permitted to the private respondent. To be served through concerned Police Station.

KUMAR ALOK

(ILESH J. VORA,J)