

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 16795 of 2023**

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PANNABEN DINESHBHAI PATEL & ORS.**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**NISHITH P ACHARYA(9308) for the Applicant(s) No. 1,2,3,4,5,6****MS AMI N BHATT(3372) for the Respondent(s) No. 2****MS SHRUTI PATHAK, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 01/08/2025****ORAL ORDER**

1. By way of this petition, the petitioners have prayed for quashing and setting aside the **FIR being C.R.No. 11191030230005 of 2023 registered at West Mahila Police Station, Ahmedabad City**, for the offence under Sections 498-A, 323 and 114 of IPC and Section 4 of the Dowry Prohibition Act as well as other consequential proceedings arising therefrom.

2. Learned counsel has submitted that, the petitioners are falsely roped in the offence and have not committed any offence as alleged against them. The petitioner Nos.1 and 2 in-laws of respondent No.2, petitioner Nos.3, 4 and 5 are sisters-in-law, whereas petitioner No.6 is brother-in-law (Nanandoi). Husband is not before this court. Allegations levelled against the petitioners are general in nature. The allegation of demand of dowry is false. It is also submitted that, the husband has filed an application under Section 9 of the Hindu Marriage Act before Family Court, Ahmedabad, for restitution of conjugal rights in the year 2022 and subsequent to that, impugned FIR has been filed in the year 2023.

3. In view of the facts of the case as well as the law laid down by the Hon'ble Supreme Court in the case of **Achin Gupta Vs. State of Haryana & Anr. Reported in 2024 INSC 369**, petition deserves consideration. Hence,

Rule, returnable on **09.10.2025**. Ld. APP waives Rule for the respondent State.

4. Meanwhile, **ad-interim relief in terms of para 10(B)** is granted. Respondent No.2 to be served through the concerned Police Station.

(HASMUKH D. SUTHAR,J)

SUCHIT