

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD  
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE  
FIR/ORDER) NO. 11483 of 2026**

**FOR APPROVAL AND SIGNATURE:**

**HONOURABLE MRS. JUSTICE M. K. THAKKER**

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|                        |     |    |
|------------------------|-----|----|
| Approved for Reporting | Yes | No |
|                        | YES |    |

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NAMRATABEN GORDHANBHAI MACWAN

Versus

STATE OF GUJARAT & ANR.

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Appearance:

LD SR ADV. MR MIHIR JOSHI ASSISTED BY MR ISA HAKIM(10874) for the  
Applicant(s) No. 1

MR MEET THAKKAR, ADDL.PUBLIC PROSECUTOR for the Respondent(s)  
No. 1

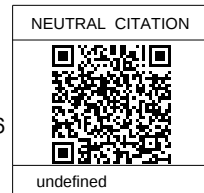
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**CORAM: HONOURABLE MRS. JUSTICE M. K. THAKKER**

**Date : 31/07/2026**

**JUDGMENT**

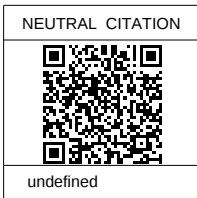
1 The present application is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashment of Criminal Case No.167 of 2026 pending before the learned Additional Chief Judicial Magistrate, Khambhat, arising out of FIR No.11215013250640 dated 19.11.2025 registered with Khambhat Rural Police Station, as well as the charge-sheet dated 06.03.2026, for the offences punishable under Sections 4(1), 4(2) and 4C of the Gujarat Freedom of Religion Act, 2003.



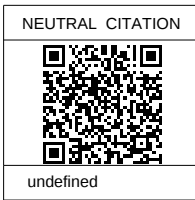
## 2 The Fractured Matrix:

2.1 The present applicant is the sole accused arraigned in the impugned FIR and the charge-sheet. Respondent No.2, who is the complainant, is working as an Accredited Social Health Activist (ASHA) Facilitator at Bamanva Primary Health Centre on a contractual basis. She is the supervisor of ASHA workers of three villages, along with four other health workers, namely, Ranjanaben Goswami, Dakshaben Solanki, Ranjanaben Chavda and Dakshaben Parmar, all of whom are working as ASHA workers. It is alleged that, about three years prior to the lodging of the FIR, after a meeting at the Primary Health Centre, Bamanva, had concluded, respondent No.2 and the aforesaid four ASHA workers were asked to stay back. Thereafter, the present applicant allegedly preached and propagated Christianity and criticized idol worship in the Hindu religion. It is further alleged that the applicant persuaded them to read the Holy Bible and learn about Christianity, while praising the Christian faith and criticizing the Hindu religion.

2.2 It is further alleged that, on similar occasions, after the meetings were over, the applicant asked respondent No.2 and the aforesaid four female ASHA workers to stay back and showed them YouTube videos introducing them to the Christian faith. Ac-



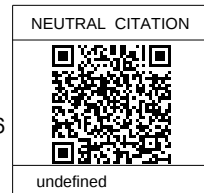
cording to the allegations, the videos depicted wars, the return of Jesus Christ, the establishment of a new order, and propagated the Christian faith. It is alleged that, whenever respondent No.2 and the other female workers refused to watch the videos, they were threatened with adverse consequences relating to their employment, including deduction of their salaries. It is further alleged that, about one year prior to the registration of the FIR, the applicant sent WhatsApp messages to respondent No.2 and the other four female workers inviting them to attend a meeting of Primary Health Workers at Vadodara. Upon reaching the venue, all five of them allegedly realized that it was a function pertaining to the Christian religion. It is alleged that, at the said function, the Christian faith was propagated through sermons, skits and plays, and several persons who had converted to Christianity spoke about their experiences. It is further alleged that, even thereafter, the applicant continued to propagate Christianity to respondent No.2 and the other female workers and, upon their refusal, threatened them with deduction of their salaries. With the aforesaid allegations, the impugned FIR came to be registered. Upon completion of the investigation, the charge-sheet was filed, and the criminal case is presently pending before the learned competent Court for trial.



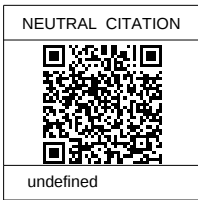
3 Heard the learned senior advocate Mr. Mihir Joshi assisted by the learned advocate Mr. Isha Hakim for the applicant and the learned APP Mr. Meet Thakkar for the respondent-State.

4 Learned senior advocate Mr. Mihir Joshi, assisted by learned advocate Ms. Isha Hakim, appearing for the applicant, submitted that the applicant is a law-abiding citizen and an adherent of the faith of Jehovah's Witnesses, a minority Christian denomination recognized by the Apex Court in the case of **Bijoe Emmanuel v. State of Kerala**, reported in **(1986) 3 SCC 615**. It is submitted that Jehovah's Witnesses believe the Holy Bible to be the true word of God, profess monotheism, and reject any form of worship or reverence to any person or being other than God. The beliefs of Jehovah's Witnesses have been elaborately discussed by the Apex Court in **Bijoe Emmanuel (supra)**. It is submitted that the propagation of the teachings of the Holy Bible and the Christian faith constitutes an essential religious practice of Jehovah's Witnesses and is protected under Article 25 of the Constitution of India.

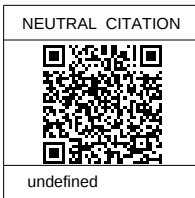
4.1 It is submitted by the learned senior advocate Mr. Joshi that the applicant neither used force, nor offered any allurements, nor employed any fraudulent means to induce respondent No.2 or any other person to convert to Christianity. It is further submitted



that the allegations regarding threats of deduction of salary or removal from service are wholly incorrect. According to the learned senior advocate Mr.Joshi, the applicant is neither the competent authority to terminate the services of respondent No.2 nor is she authorized to sanction or disburse the salaries of respondent No.2 or the other ASHA workers. It is submitted that, in exercise of her fundamental right to freedom of conscience and her right to profess, practise and propagate her religion under Article 25 of the Constitution, the applicant merely introduced the Christian faith to her colleagues, including respondent No.2, shared certain religious literature, and showed videos available on the official website, namely, jw.org. It is submitted that respondent No.2 and the other witnesses attended the programme at Vadodara voluntarily and of their own free will. No force, inducement, allurements or fraudulent means were employed at the said event with a view to convert anyone to Christianity. It is submitted that the programme was organized only for the spiritual edification of Jehovah's Witnesses and other persons who voluntarily attended the same. It is further submitted that the applicant, being a follower of Jehovah's Witnesses, is fundamentally opposed to any form of illegal or forced conversion.

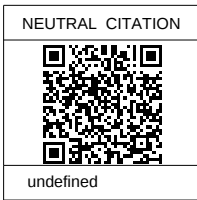


4.2 It is submitted learned senior advocate Mr. Joshi that, after an unexplained delay of nearly one year from the date of the Vadodara programme, the impugned FIR came to be lodged only with a view to wreak vengeance upon the applicant for merely propagating the teachings of the Holy Bible and sharing literature and videos available on the jw.org website. Learned senior advocate Mr.Joshi further submitted that the constitutional validity of the Gujarat Freedom of Religion Act has been challenged before this Court in Special Civil Application No.10304 of 2021, wherein this Court has stayed the operation of certain provisions of the Act in relation to inter-faith marriages. The said order has been challenged before the Apex Court by the State of Gujarat and the matter is pending consideration. It is submitted that the provisions of the Gujarat Freedom of Religion Act are substantially similar to the legislation enacted by several other States, and the constitutional validity of such enactments, insofar as they affect the fundamental right guaranteed under Article 25 of the Constitution, is presently under examination by the Apex Court. In Writ Petition (Criminal) No.48 of 2020, by order dated 16.01.2023, the Apex Court directed that all such State legislations be examined together, and transfer petitions have accordingly been filed for clubbing the matters.



4.3 It is further submitted by the learned senior advocate Mr. Joshi that no conversion has, in fact, taken place and that neither respondent No.2 nor any other person has been converted to Christianity at the instance of the applicant. According to the learned senior advocate Mr.Joshi, a plain reading of the impugned FIR and the charge-sheet reveals no allegation whatsoever that the applicant attempted to convert respondent No.2. The allegations, at their highest, merely indicate that the applicant introduced respondent No.2 and others to the Christian faith and propagated its teachings. Even the alleged threats are stated to have been made only in the context of such propagation and do not disclose any attempt at conversion by force, allurement or fraudulent means. It is therefore submitted that the essential ingredients of the offences under the Gujarat Freedom of Religion Act are not satisfied and, on that ground alone, the impugned FIR and the consequential charge-sheet deserve to be quashed.

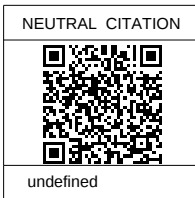
4.4 It is also submitted by the learned senior advocate Mr. Joshi that, with regard to the Vadodara programme, respondent No.2 and the other four female workers voluntarily attended the entire event and thereafter accepted food offered by the applicant. According to the learned senior advocate Mr.Joshi, it is



inconceivable that respondent No.2 would voluntarily remain throughout the programme and partake of the meal if she had been fraudulently induced or coerced into attending the same. It is submitted that respondent No.2 has lodged the complaint only out of personal vendetta, being aggrieved by the supervisory role of the applicant, who had pointed out deficiencies in her work and required corrective action.

4.5 It is therefore submitted by the learned senior advocate Mr. Joshi that the acts attributed to the applicant are fully protected under Article 25 of the Constitution of India. Even assuming the allegations to be correct, they merely disclose that the applicant taught the Holy Bible, propagated her faith, distributed pamphlets and showed videos relating to Christianity, none of which constitute an offence under the Gujarat Freedom of Religion Act in the absence of any attempt to convert respondent No.2 or any other person. It is further submitted that, under Section 3A of the Gujarat Freedom of Religion Act, a complaint can be instituted only by the aggrieved person or by a person related to such aggrieved person by birth, marriage or adoption. Respondent No.2, therefore, had no locus standi to lodge the complaint on behalf of the other four female workers.

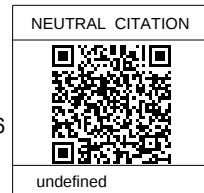
4.6 Lastly, it is submitted by the learned senior ad-



vocate Mr. Joshi that Section 6 of the Act mandates previous sanction of the District Magistrate before any prosecution can be instituted. In the present case, no such sanction was obtained by the Khambhat Rural Police Station prior to filing the charge-sheet. Consequently, the learned Trial Court could not have taken cognizance of the alleged offences in the absence of compliance with the mandatory statutory requirement. It is, therefore, submitted that continuation of the criminal proceedings against the present applicant would amount to an abuse of the process of law and that the case squarely falls within the parameters laid down by the Apex Court in **State of Haryana Vs. Bhajanlal reported in AIR 1992 SC 604**.

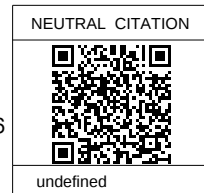
5 Learned APP Mr. Thakkar, appearing for the respondent-State, submits that a bare perusal of the FIR and the material collected during the course of investigation prima facie disclose the commission of cognizable offences. It is, therefore, submitted that no interference is called for in the exercise of the inherent jurisdiction of this Court.

6 Having considered the submissions made by the learned senior advocate Mr. Joshi and upon referring to the allegations narrated in the earlier part of this judgment, it emerges that the complainant has been serving



as an ASHA Facilitator since the year 2009 on a contractual basis and is receiving a monthly remuneration of Rs.6,000/-. As an ASHA Facilitator, the complainant was entrusted with the work of supervising the ASHA workers serving in the villages of Bamanva, Jahaj and Popatvav. The reports prepared by the complainant were required to be submitted to the higher authority, namely, the Female Health Worker, on which post the present applicant was serving. It further emerges that the applicant has been working as a Female Health Worker at Bamanva Primary Health Centre since the year 2010 and is residing in the Government quarters situated within the premises of the said Primary Health Centre. Four female health workers, namely, Ranjanaben Goswami, Dakshaben Solanki, Ranjanaben Chavda and Dakshaben Parmar, were working as ASHA workers under the supervision of the complainant and were receiving a monthly remuneration of Rs.2,000/-. It is not in dispute that all of them profess the Hindu religion.

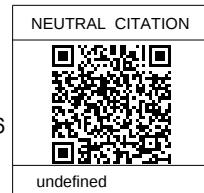
6.1 According to the allegations contained in the impugned FIR, the applicant preached and propagated Christianity to the complainant and the aforesaid four ASHA workers while criticizing idol worship in the Hindu religion. It is alleged that the applicant persuaded them to read the Holy Bible and learn about Christianity and praised the Christian faith. For that



purpose, after the official meetings were over, the complainant and the other female ASHA workers were allegedly asked to stay back and were shown YouTube videos introducing them to the Christian faith. The videos allegedly referred to wars, the return of Jesus Christ, the establishment of a new order and propagated the Christian faith. It is further alleged that, when the complainant and the other female workers resisted such propagation, the applicant threatened them with adverse consequences in relation to their employment, including non-preparation of their salary vouchers.

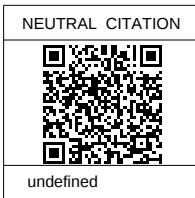
6.2 It is further alleged that, about one year prior to the registration of the FIR, a WhatsApp message was sent to the complainant and the other female workers inviting them to attend a meeting of Primary Health Workers at Vadodara. Upon reaching the venue, they allegedly realized that it was a function pertaining to the Christian religion. At the said function, Christianity was allegedly propagated through sermons, skits and plays, and several persons who had converted to Christianity spoke about their experiences of conversion.

7 During the course of investigation, the learned Public Prosecutor has placed on record the report submitted by the Investigating Officer along with the statements



of the other ASHA workers, who have supported the case of the complainant. It has also been brought on record that the WhatsApp messages allegedly sent by the applicant to the complainant and the other female workers were recovered. For the said purpose, the mobile phone of the applicant was seized and sent to the Forensic Science Laboratory, as the messages had allegedly been deleted by the applicant.

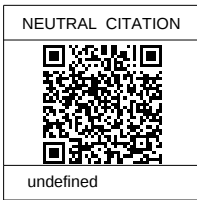
7.1 The investigation further reveals that copies of the Holy Bible bearing the title "*Pavitra Bible Su Sikhve Che*" were allegedly distributed to the complainant and the other victims. The seized mobile phone and laptop are presently lying with the FSL, Gandhinagar for examination. During the course of investigation, the Bank Account details of the applicant, her father and her brother were also collected. According to the prosecution, the investigation reveals that the applicant is associated with Jehovah's Witnesses of India (JWI). It is alleged that, in the applicant's ICICI Bank account, an amount of Rs.10,08,66,494.43/- was credited from the account of JWI, out of which an amount of Rs.7,96,23,984.13/- was withdrawn. It is further alleged that, in the applicant's HDFC Bank account, an amount of Rs.20,55,16,718.37/- was credited, against which withdrawals amounting to Rs.19,83,75,508.22/- were



made, the said credits also having been received from the account of JWI.

7.2 It is further revealed that, during the search conducted at the residence of the applicant, several religious books and publications relating to Christianity and the Holy Bible were recovered. These included a book titled *"Pavitra Shashtra"* in the Gujarati language, another book titled *"Pavitra Shashtra Ka Nayi Duniya"*, four small booklets, a book titled *"Bible Abhyas Karva Madad"*, another book titled *"Parmeshwar Ke Pyar Ke Layak Bane Rahe"*, and a book titled *"Jehova Ki Ichcha Puri Karne Ke Liye Sanghathit"*. Pamphlets relating to *"Maha Sammelan - Jehova Ni Bhakti, 2025"* consisting of eight pages were also recovered. In addition thereto, books titled *"Danial Bhavishyawani"*, *"Sajag Bano"*, *"Sachcha Ishwar Ne Olakho"*, *"Choki Bhuraj"*, *"Teoni Shradhdha Ne Pagle Chalo"*, *"Dukh Jase Sukh Aaveshe"*, and *"Ishwar Pase Thi Sikho"*, along with the diaries of four nuns and certain notebooks, were also recovered from the residence of the applicant.

8 It is contended by learned senior advocate Mr. Joshi that Article 25 of the Constitution of India guarantees every individual the fundamental right to freely profess, practise and propagate his or her religion. It is submitted that, admittedly, neither any conversion nor any at-



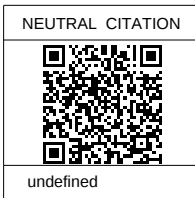
tempt to convert the complainant or the other alleged victims to the faith professed by the applicant has been alleged in the impugned FIR or the charge-sheet. In that background, it is submitted that the prosecution initiated against the applicant for the offences punishable under Sections 3, 4(1), 4(2) and 4C of the Gujarat Freedom of Religion Act, 2003 is nothing but an abuse of the process of law. At this stage, it is necessary to refer to the relevant provisions of the Gujarat Freedom of Religion Act, 2003, which are reproduced hereinbelow:

**“3.** No person shall convert or attempt to convert, either directly or otherwise, any person from one religion to another by use of force or by allurement [or by any fraudulent means or by marriage or by getting a person married or by aiding a person to get married nor] shall any person abet such conversion.

**4(1)** Whoever contravenes the provision of section 3 shall, without prejudice to any civil liability, be punished with imprisonment for a term, which may extend to three years and also be liable to fine, which may extend to rupees fifty thousand:

Provided that whoever contravenes the provisions of section 3 in respect of a minor, a woman or a person belonging to Scheduled Caste or Scheduled Tribe shall be punished with imprisonment for a term which may extend to four years and also be liable to fine which may extend to rupees one lakh.

**4(2)** When an offence is committed under this Act, in addition to the person who actually does any act which constitutes the offence, each of the following shall be



deemed to have taken part in committing the offence and shall be charged as if he has actually committed the said offence, namely:-

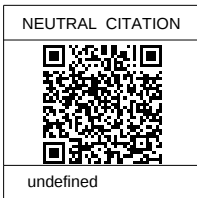
(a) a person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence,

(b) a person who aids, abets, counsels or convinces another person to commit the offence.]

4C. (1) If an institution or an organization contravenes the provision of section 3, every person who, at the time the offence was committed, was in charge of, and was responsible to, such institution or organization shall be punished with imprisonment which shall not be less than three years but which may extend to ten years and shall also be liable to fine upto five lakh rupees.

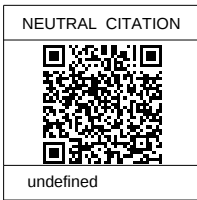
(2) From the date of filing a charge sheet, such institution or the organization shall not be entitled to any grant provided by the State Government.]”

9 The object of enacting the Gujarat Freedom of Religion (Amendment) Act, 2021 is to prohibit unlawful conversion from one religion to another by misrepresentation, force, undue influence, coercion, allurement, fraudulent means or by marriage, and for matters connected therewith. The constitutional framework of India guarantees to every individual the right to freedom of religion under Article 25 of the Constitution of India. Article 25 confers upon every person the fundamental right to freely profess, practise and propagate religion, subject to public order, morality and health. The use of the



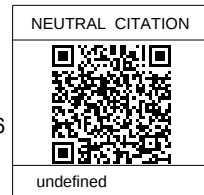
word “freely” in Article 25 underscores the voluntary nature of religious belief and expression. The Constitution does not endorse conversion brought about by force, fraud or coercion, nor does it protect coercive or deceptive practices under the guise of religious propagation. Article 25(1) guarantees freedom of conscience and the right to freely profess, practise and propagate religion, however, the said right is expressly made subject to public order, morality and health. These constitutional limitations provide the foundation for regulating religious conversions procured through coercion, misrepresentation, undue influence or other prohibited means. The restrictions are intended to ensure that the exercise of religious freedom does not disturb public order or undermine the social fabric and the individual or collective well-being of society.

10This Court has referred the decision of the Apex Court in the case of **Durga Yadav vs. State of U.P. and others**, reported in **2025 1 High Court Cases (All) 448** it is held by the Apex Court that the presumption that one religion is inherently superior to other clearly presupposes the moral and spiritual superiority of one religion over another. Such notion is fundamentally antithetical to the idea of secularism. Indian secularism is rooted in the principle of equal respect for all religions. The State neither identify with nor favour any religion,



but instead must maintain a principled equidistant from all religions and faith. It is further held that the primary object of the Act is to prohibit conversions from one religion to another that are carried out through misrepresentation, force, undue influence, coercion, allurement, fraudulent means, or marriage for the sole purpose of unlawful conversion. The law seeks to prevent exploitation and manipulation that could have broader destabilising effects on social harmony, besides disruption of law and order.

11 Keeping the above law in mind, if one would peruse the material of investigation which suggest that the applicant targeted economically weaker persons, took advantage of their financial circumstances, propagated Christianity by criticizing idol worship in the Hindu religion by closing doors of rooms, and highlighted the perceived benefits of conversion through the experiences narrated by persons present at the Vadodara programme, prima facie disclose the commission of cognizable offences under the provisions of the Gujarat Freedom of Religion Act, 2003. At this stage, this Court is only required to examine whether the allegations and the material collected during the investigation disclose the commission of a cognizable offence and not whether the prosecution will ultimately succeed at the trial.

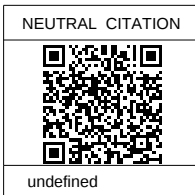


12 It is submitted by learned senior advocate Mr. Joshi that the complainant has no locus standi to lodge the present complaint on behalf of the other four female workers, as they do not fall within the category of persons related to lodge the complaint.

13 In this regard the Apex Court in the case of **Durga Yadav (supra)** has held as under:

“12. Based on the foregoing deliberations, it can safely be concluded that Section 4 of the U.P. Prohibition of Unlawful Conversion Act, 2021, shall be construed in harmonious conjunction with Section 173 BNSS, 2023 (Section 154 of the Criminal Procedure Code, 1973), so as to effectuate the legislative object of deterring and penalising unlawful religious conversions. Applying the principle of purposive interpretation, the undefined term “any aggrieved person” under the unamended Section 4 of the Act, 2021 cannot be interpreted in isolation. Given the statutory context and intent of the enactment, the expression must be construed broadly to include the Station House Officer (SHO), who is legally mandated to maintain public order and is competent under Section 173 BNSS, 2023 to register FIR for cognizable offences.

13. The use of the word “may” in Section 4 of the Act is indicative of legislative intent to confer a discretionary power rather than impose a mandatory obligation. It is a well settled principle of statutory interpretation that a term “may”, when employed by the legislature, ordinarily denotes permissiveness and confers discretion, unless the context or the objective of the statute compels a different construction. In the context of Section 4 of the Act, 2021, which enables any aggrieved person, their relatives, or any other person related by blood, marriage, or adoption to lodge a com-

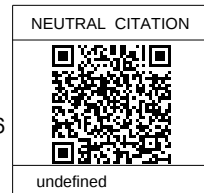


plaint, the use of “may” suggests that such persons are empowered and at the same time keep the expression “any aggrieved person” a class apart, who under obligation of the Act empowered to initiate legal proceedings. Specially, in cases of unlawful mass conversion, it is the statutory duty of the State to prevent unlawful conversions by misrepresentation, coercion, or fraud to achieve the objective of the Act. Therefore, a narrow interpretation to the expression “any aggrieved person” would make the Act otiose.

14. Moreover, Section 7 of the Act, when read with the provisions contained in Chapter XIII BNSS, 2023, reinforces this interpretation by enabling police authorities to register, investigate and act upon offences under the Act. In addition, Section 170BNSS, 2023, which permits preventive measures to maintain public peace, supersedes any narrow reading of Section 4 of the Act, 2021 and underlines the preventive and protective function of the police in religiously sensitive matters. In cases of unlawful mass conversion, to exclude police from initiating legal action would paralyse enforcement, thereby rendering the operative provisions—Sections 3(1), 5, 10 and 11— ineffective.

15. Additionally, the phrase “any aggrieved person” under the pre-amended Section 4 of the Act, 2021 is not defined and applying the principle of purposive interpretation, it shall be read in a manner that effectuates the objective of the Act to safeguard freedom of conscience and prevent its infringement through unlawful conversion practices.

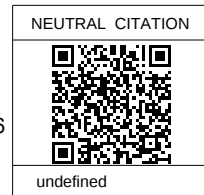
16. Statutory interpretation often hinges not merely on words used by the legislature, but also on their syntactic arrangements including punctuation. The placement of a comma (,), though seemingly trivial, can profoundly affect later legal rights and liabilities. Section 4



of the U.P. Prohibition of Unlawful Conversion of Religion Act, 2021 is a classical illustration. This provision allows certain persons to file complaints related to unlawful religious conversion and the placement of a comma after “any aggrieved person” has led to interpretive uncertainty. The comma singles “any aggrieved person” as a separate class of complaints, distinct from family members and others listed in the section. The pivotal punctuation mark here is the comma after “the aggrieved person”.

17. Where ambiguity arises, reliance is placed on context, legislative intent and established principles of statutory interpretation. The comma after “any aggrieved person” suggests a deliberate separation pointing to the likelihood that “any aggrieved person” stands independently, unqualified by familial connection. The primary objective of the Act, 2021 is to prevent religious conversions brought about through coercion or frivolous means such as misrepresentation, force, undue influence, coercion, allurement, or fraudulent means interpreting “any aggrieved person” broadly serves this purpose by expanding the category of individuals who can initiate legal action. The placement of a comma after “any aggrieved person” in Section 4 of the Act, 2021 supports an interpretation that separates the aggrieved person from the list of relatives and others.

18. Section 4 of the Amended Act, 2024, expressly clarifies and permits “any person” to provide information in accordance with Chapter XIII of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), confirms the legislative intent to widen the scope of informants and further clarify procedural access. This substitution must be read as clarificatory in nature, consistent with the principle that procedural amendments apply to pending actions and supports a harmonious construction with Sections 173 and 175BNSS, 2023. It thereby reinforces that the



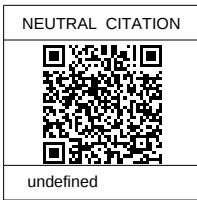
police, or any person aware of the commission of a cognizable offence under the Act, 2021 is empowered to initiate proceedings, thus ensuring that the statute is not rendered otiose.

19. Thus, “any person” aggrieved by the unlawful conversion in infringement of Article 25 of the Constitution of India, in accordance with the provisions of U.P. Prohibition of Unlawful Conversion of Religion Act, 2021, as amended by Act, 2024 entitled to file a complaint before the police to lodge a FIR to achieve its objectives.”

14 Considering the aforesaid decision, wherein it has been held that “any person” aggrieved by an unlawful conversion, in violation of Article 25 of the Constitution of India, is entitled to lodge a complaint before the police for registration of an FIR so as to achieve the object and purpose of the Act.

15 It is further submitted by learned Senior Advocate Mr. Joshi that the prosecution is vitiated for want of the previous sanction mandated under Section 6 of the Gujarat Freedom of Religion Act, 2003.

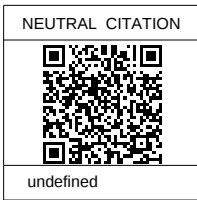
16 This Court has referred to the report submitted by learned APP Mr. Thakkar, wherein it is stated that the District Magistrate, Anand, accorded sanction under Section 6 of the Gujarat Freedom of Religion Act, 2003 on 06.03.2026 for filing the charge-sheet against the applicant. In that background, the aforesaid contention raised on behalf of the applicant is found to be unten-



able. It is further contended that, though all the victims attended the programme at Vadodara and also partook of the meal served there, the allegation is that they were called to Vadodara under the pretext of attending a meeting of the Primary Health Centre. Therefore, merely because they attended the programme and accepted the meal would not, by itself, lead to the conclusion that there was no fraudulent inducement in securing their attendance at the said event.

17 It is also submitted by learned senior advocate Mr. Joshi that the applicant was not the authority competent to sanction or disburse the salaries of the complainant or the other four female workers. However, as noticed hereinabove, the applicant was serving as a Female Health Worker and the complainant, in her capacity as an ASHA Facilitator, was required to prepare supervisory reports and submit the same to the applicant. In that background, it cannot prima facie be said that the applicant had no role in supervising the work of the complainant and the other ASHA workers or that she was not in a position of authority over them.

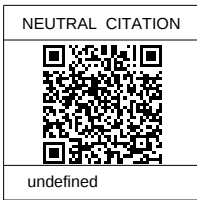
17.1 It is further submitted by learned senior advocate Mr. Joshi that neither any conversion nor any attempt to convert by misrepresentation, force, undue influence, coercion, allurement or fraudulent means has been alleged. However, the allegations made in



the FIR and the material collected during the course of investigation, particularly the distribution of copies of the Holy Bible to the complainant and the other victims, asking them to stay back after the meetings, showing them YouTube videos relating to Christianity behind closed doors, and inviting them to attend a Christian religious programme at Vadodara under the pretext of a Primary Health Centre meeting, prima facie suggest the involvement of the applicant in the commission of the alleged offences.

18 In the opinion of this Court, the present case does not fall within any of the categories formulated by the Apex Court in **Bhajan Lal (supra)** warranting exercise of the extraordinary or inherent jurisdiction of this Court for quashing the FIR and the consequential proceedings. Accordingly, the present application deserves to be dismissed and is, therefore, dismissed. It is, however, clarified that it shall be open to the applicant to raise all permissible contentions before the learned Trial Court at the appropriate stage, which shall consider the same independently and in accordance with law.

19 In view of the aforesaid discussion, this Court is of the opinion that the allegations made in the impugned FIR, coupled with the material collected during the course of investigation, prima facie disclose the commission of cognizable offences under the Gujarat Free-



dom of Religion Act, 2003. The case does not fall within any of the parameters laid down by the Apex Court in **Bhajan Lal (supra)** warranting interference in exercise of the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

20 Resultantly, the present application fails and is hereby dismissed. It is, however, clarified that the applicant shall be at liberty to raise all permissible contentions before the learned Trial Court at the appropriate stage, and the learned Trial Court shall consider the same independently and in accordance with law, without being influenced by any observations made in this order.

M.M.MIRZA

(M. K. THAKKER,J)