

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO.1 of 2022

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SOHANABEN HANIFKHAN MALEK SINCE MINOR THROUGH HER GUARDIAN
HANIFABEN BISMILLAKHAN JATMALIK
Versus
STATE OF GUJARAT

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Appearance :

MR YATIN OZA, SENIOR COUNSEL WITH MR VICKY B MEHTA for the Applicant.

MR MITESH AMIN, PUBLIC PROSECUTOR WITH MR KM ANTANI, AGP for the Opponent Nos.1,2,3

NOTICE SERVED for the Opponent Nos.10,11,4,5,6,7,8,9

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**CORAM:HONOURABLE THE ACTING CHIEF JUSTICE MR.
JUSTICE A. J. DESAI
and
HONOURABLE MR. JUSTICE BIREN VAISHNAV**

Date : 18/07/2023

ORAL ORDER

(PER : HONOURABLE THE ACTING CHIEF JUSTICE MR.
JUSTICE A. J. DESAI)

1. We have heard learned counsels appearing for the respective parties. We have gone through the affidavits and relevant documents filed by the respective parties. We have also gone through the Inquiry Report submitted by the Judicial Magistrate who has carried out inquiry. Considering the material available on record, we pass the following order :-

The District Superintendent of Police, Surendranagar is hereby directed to look into the application submitted by the petitioner before Bajana Police Station as well as the representation made by the petitioner to the DSP, Surendranagar as well as the reminders sent by the petitioner for taking an

appropriate action with regard to the incident took place in which two persons have lost their lives, and decide the same as early as possible, preferably within a period of 4 weeks from today. After deciding the same, appropriate affidavit shall be filed by DSP, Surendranagar on the next date of hearing. The DSP, Surendranagar shall consider the application and the representation of the petitioner without being influenced by the observations made in the Inquiry Report submitted by Judicial Magistrate.

To be listed on 24.8.2023.

(A. J. DESAI, ACJ)

(BIREN VAISHNAV, J)

SAVARIYA