

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 4739 of 2026

=====

MANUBHAI BABUBHAI PATEL & ORS.
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:
MR ADITYA T PANCHOLI(13067) for the Applicant(s) No. 1
RAFIK LOKHANDWALA(5590) for the Applicant(s) No. 1,2,3,4
MR MANAN MAHETA, LD.ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 18/03/2026

ORAL ORDER

1. Learned advocate Mr.Anirudh Suchak appears and submits that he has instructions to appear on behalf of the respondent No.2 – original complainant. He is permitted to file his appearance. Registry shall accept his vakalatnama.

2. By way of preferring the present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants- original accused seek to invoke the inherent powers of this Court, praying to quash and set-aside the First Information Report being C.R.No.11210001240730 of 2024 registered with the Hajira Police Station, Surat city, for the offences punishable under Sections 4(3), 5(c) of the Gujarat Land Grabbing (Prohibition) Act; the charge sheet as well as the proceedings of the GLGP- (Gujarat Land Grabbing

Prohibition Special Case) No.2 of 2025 pending before the learned Additional District & Sessions Judge, Surat, so also all other consequential proceedings arising pursuant thereto.

3. Today, when the matter is called out, the authorized Officer of the complainant company has remained present before this Court and produced his identity proof as well as the affidavit, which are ordered to be taken on record. In the affidavit, the authorised officer of the complainant company has categorically stated that the dispute between the complainant company and the applicants- accused has been amicably resolved and there is no ill-will or any grievance amongst them. Therefore, the company does not want to proceed further with the proceedings pursuant to the impugned FIR and the GLGP- (Gujarat Land Grabbing Prohibition Special Case) against the present applicants.

4. Considering the issue involved in the present application as well as considering the fact that the dispute has been amicably resolved between the parties, with the consent of the learned advocates appearing for the respective parties, the present application is taken up for final disposal.

5. RULE returnable forthwith. Learned APP Mr.Manan Maheta waives service of notice of rule for and on behalf of

the respondent no.1 – State and learned advocate Mr.Anirudh Suchak waives service of notice of rule for and on behalf of the respondent no.2 – complainant.

6. Learned advocate for the applicants-accused has submitted that since the dispute has been amicably resolved between the parties, the application may be allowed and the impugned FIR, the charge-sheet as well as the proceedings of the GLGP- (Gujarat Land Grabbing Prohibition Special Case) may be quashed and set-aside.

7. The authorized Officer of the complainant company, who is present in the Court, has categorically stated before this Court that the company has no objection if the application is allowed and the impugned FIR; the charge-sheet as well as the proceedings of the GLGP- (Gujarat Land Grabbing Prohibition Special Case) are quashed and set-aside. Thus, it appears from the aforesaid that sending the applicants-accused to face the trial would be nothing but a futile exercise and would amount to abuse of process of law.

8. The relevant paragraphs of the affidavit of the authorized Officer of the original complainant, read thus :

“1. That, being FIR No. 111210001240730 of 2024 dated 25.12.2024 under sections 4(3), 5(c) of the Gujarat Land Grabbing (Prohibition) Act registered with Hajira Police Station, Dist. Surat, came to be lodged by one VIKASKUMAR AMITBHAI PATEL for and on behalf of Arcelor Mittal Nippon Steel India

Private Limited ("the company"), against the present Applicants, which after investigation and filing of chargesheet, culminated into the GLGP- (Gujarat Land Grabbing Prohibition Special Case) No. 2 of 2025, which is now pending before the Ld. Addl. District & Sessions Judge, Surat. That, at the relevant point of time, Vikaskumar Amitbhai Patel was an employee of the company, but, as he has since resigned, this affidavit is executed by the undersigned as the Authorized Official of the company.

2. I state that upon the intervention of the prominent and reputed members of the community, an amicable settlement has arrived at between the company and the present Applicants, and the Applicants have voluntarily and peacefully vacated their possession from the portions of the subject property/land occupied by them. I state that the possession of portion of the land occupied by the Applicants has been restored back to the company and since the said portion of the land has been vacated by the applicants and its peaceful vacant possession has been handed over to the company, therefore, no dispute remains pending between the company and the Applicants and since the offences alleged against the Applicants are personal in nature, not affecting any interest of the State Government, it has been agreed to compromise the dispute including the impugned FIR and the proceedings that have arisen pursuant to the filing of the complaint qua the present Applicant only. The complainant entity reserves its right to continue and pursue prosecution against the other co- accused persons viz. (1) Ajitbhai Naginbhai Patel and (2) Sumanben Naginbhai Patel in

accordance with the law.

3) I state that therefore, I, as an Authorized Person of the company, accord my consent to this Hon'ble Court to quash and set aside the FIR being No. 111210001240730 of 2024 dated 25.12.2024 under sections 4(3), 5(c) of the Gujarat Land Grabbing (Prohibition) Act registered with Hajira Police Station, Dist. Surat and all subsequent consequential proceedings arising pursuant to the said F.I.R. including the GLGP (Gujarat Land Grabbing Prohibition Special Case) No. 2 of 2025, which is pending before the Id. Addl. District & Sessions Judge, Surat, qua the present Applicant only. The complainant entity reserves its right to continue and pursue prosecution against the other co-accused persons viz. (1) Ajitbhai Naginbhai Patel and (2) Sumanben Naginbhai Patel in accordance with the law.

4) I have taken a conscious decision to accord my consent to the quashing and setting aside of the FIR and all the consequential proceedings thereunder qua the present Applicant only. The complainant entity reserves its right to continue and pursue prosecution against the other co-accused persons viz. (1) Ajitbhai Naginbhai Patel and (2) Sumanben Naginbhai Patel in accordance with the law.

5) I state that this Affidavit filed by me as well as the amicable settlement between the parties, has been arrived at, with full knowledge and without any fraud, coercion or force and that I am bound to respect the same.”

9. Having heard learned counsel appearing for the respective parties, as well as considering the facts and circumstances arising out of the present application and also taking into consideration the decisions rendered in the cases of **Gian Singh Vs. State of Punjab & Anr.**, reported in **(2012) 10 SCC 303**, **Madan Mohan Abbot Vs. State of Punjab**, reported in **(2008) 4 SCC 582**, **Nikhil Merchant Vs. Central Bureau of Investigation & Anr.**, reported in **2009 (1) GLH 31**, **Manoj Sharma Vs. State & Ors.**, reported in **2009 (1) GLH 190** and **Narinder Singh & Ors. Vs. State of Punjab & Anr.** reported in **2014 (2) Crime 67 (SC)** and **State of Haryana Vs. Bhajanlal** reported in **AIR 1992 SC 604**, it appears that continuing further with the proceedings in relation to the impugned FIR, the charge-sheet as well as the GLGP- (Gujarat Land Grabbing Prohibition Special Case) against the applicants-accused would be an unnecessary harassment to the applicants-accused. It further appears that the trial would be a futile exercise and further continuing with the proceedings pursuant to the impugned FIR, the charge-sheet as well as the GLGP- (Gujarat Land Grabbing Prohibition Special Case) would amount to abuse of process of law. Hence, to secure the ends of justice, the impugned FIR, the charge-sheet as well as the proceedings of the GLGP- (Gujarat Land Grabbing Prohibition Special Case), so also all other consequential proceedings arising pursuant thereto are required to be quashed and set aside in exercise of the

powers conferred under Section 528 of the of the Bharatiya
Nagarik Suraksha Sanhita, 2023.

10. In the result, the application is allowed. The First Information Report being C.R.No.11210001240730 of 2024 registered with the Hajira Police Station, Surat city, for the offences punishable under Sections 4(3), 5(c) of the Gujarat Land Grabbing (Prohibition) Act; the charge sheet as well as the proceedings of the GLGP- (Gujarat Land Grabbing Prohibition Special Case) No.2 of 2025 pending before the learned Additional District & Sessions Judge, Surat, so also all other consequential proceedings arising pursuant thereto, are hereby ordered to be quashed and set-aside.

11. Rule made absolute. Direct service is permitted.

(VIMAL K. VYAS, J)

DIPTI PATEL

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: DIPTIBEN PIYUSH PATEL(HC00191), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 23/03/2026 18:22:51