

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR CONSENT QUASHING) NO. 6924
of 2026**

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LACKY RATANBHAI MARVADI THRO. TULSIBEN RATANBHAI MARVADI &
ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VISHVESH A PANDYA(12941) for the Applicant(s) No. 1,2

MR. MANAN MAHETA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS**Date : 27/03/2026****ORAL ORDER**

1. Learned advocate Mr. Kapil K. Solanki 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-accused seek to invoke the inherent powers of this Court, praying to quash and set-aside the First Information Report No. 11191040260428 of 2026 registered with the Sardarnagar Police Station, Ahmedabad City, for the offences punishable under Sections 115(2), 118(1), 296(b), 351(2), 125(a), 54 of the Bharatiya Nyaya Sanhita, 2023, as well as all

other consequential proceedings arising pursuant thereto.

3. Today, when the matter is called out, the complainant and the victims are personally present before this Court. The complainant has also filed an affidavit, which is annexed at Annexure 'B' to the application. The victims have also produced their respective affidavits. The same are ordered to be taken on record. In their respective affidavits, the complainant and the victims have categorically stated that with the intervention of the friends, family members and community people, the dispute has been amicably resolved with the applicants and there is no ill-will or any grievance amongst them.

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. Kapil Solanki 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 may be quashed and set-aside.

7. The complainant and the victims who are personally present in the Court, have categorically stated before this Court that they have no objection if the application is allowed and the FIR is 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 filed by the complainant - Ashokbhai Chelaram Vaghela, read thus :

"3. I say that there was no enmity between myself and the present petitioners. I say that I have settled the dispute with them and I do not wish to rather prosecute the FIR against petitioners because both family members realized their mistake.

4. I say that after registration of the impugned FIR, a meeting took place between my family and members of the society in presence of elders, common friends and well-wishers and the misunderstanding between us got cleared. Accordingly, the matter has been resolved and an amicable settlement has been arrived at between the parties so as to maintain harmony, peaceful and healthy personal relationships in future. In view of amicable settlement, I have also agreed to support the petitioners in respect of prosecution initiated against the petitioners on the basis of impugned FIR and as per the mutual understanding and settlement, I have agreed to give consent for quashing of impugned FIR and other proceedings, Thus, I do not want to prosecute the impugned FIR and other proceedings against the both of the petitioners.

5. In the facts and circumstances as narrated above, I at my free will, wish and desire am stating on oath that I do not wish to prosecute the criminal proceedings with petitioners as the

dispute between us has been amicably settled. I state that F.I.R. being C.R.No. 11191040260428 of 2026 dated 23.02.2026 lodged before the Sardarnagar Police Station, District Ahmedabad for the offences punishable under sections 115(2),118(1),296(b),351(2), 125(a),54 of Bhartiya Nyaya Sanhita, 2023 and consequential proceeding arising out for the petitioner may kindly be quashed."

9. The relevant paragraphs of the affidavit filed by the injured persons, read thus :

"2. I say that I have gone through the memo of petition and the facts and grounds stated in the memo of petition are not disputed by me. At the outset I say and submit that the disputes and grievances of both the sides have been amicably settled and I do not wish to prosecute the petitioners any further with respect to the F.I.R. being C.R.No. 11191040260428 of 2026 dated 23.02.2026 lodged before the Sardarnagar Police Station, District: Ahmedabad for the offences punishable under sections 115(2),118(1),296(b),351(2),125(a),54 of Bhartiya Nyaya Sanhita, 2023 and consequential proceeding arising out of FIR.

3. I say that the there was no enmity between myself and the present petitioners. I say that I have settled the dispute with them and I do not wish to rather prosecute the FIR against petitioners because both family members realized their mistake.

4. I say that after registration of the impugned FIR, a meeting took place between my family and members of the society in presence of elders, common friends and well-wishers and the misunderstanding between us got cleared. Accordingly, the matter has been resolved and an amicable settlement has been arrived at between the parties so as to maintain harmony, peaceful and healthy personal relationships in future. In view of amicable settlement, I have also agreed to support the petitioners in respect of prosecution initiated against the petitioners on the basis of impugned FIR and as per the mutual understanding and settlement, I have agreed to give consent for quashing of impugned FIR and other proceedings, Thus, I do not want to prosecute the impugned FIR and other proceedings against the both of the petitioners.

5. In the facts and circumstances as narrated above. I at my free will, wish and desire am stating on oath that I do not wish

to prosecute the criminal proceedings with petitioners as the dispute between us has been amicably settled. I state that F.I.R. being CR.No. 11191040260428 of 2026 dated 23.02 2026 lodged before the Sardarnagar Police Station, District: Ahmedabad for the offences punishable under sections 115(2),118(1),296(b),351(2),125(a),54 of Bhartiya Nyaya Sanhita, 2023 and consequential proceeding arising out for the petitioner may kindly be quashed."

10. Having heard learned advocates appearing for the respective parties as well as considering the facts and circumstances arising out of the present application and taking into consideration the decisions rendered in the cases of **Gian Singh vs. State of Punjab & Another**, 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 & Another**, reported in (2009) 1 GLH 31, **Manoj Sharma vs. State & Others**, reported in (2009) 1 GLH 190, and **Narinder Singh & Others vs. State of Punjab & Another**, reported in (2014) 2 Crime 67 (SC) as well as **State of Haryana vs. Bhajanlal**, reported in AIR 1992 SC 604, it appears that further continuation of the criminal proceedings in relation to the impugned FIR against the applicants-accused would be nothing but unnecessary harassment to the applicants-accused. It further appears that the trial would be a futile exercise and continuing further with the proceedings pursuant to the impugned FIR would amount to abuse of process of law. Hence, to secure the ends of justice, the impugned FIR and 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

11. In the result, the application is allowed. The First Information Report No. 11191040260428 of 2026 registered with the Sardarnagar Police Station, Ahmedabad City, for the offences punishable under Sections 115(2), 118(1), 296(b), 351(2), 125(a), 54 of the Bharatiya Nyaya Sanhita, 2023, as well as all other consequential proceedings arising pursuant thereto are hereby ordered to be quashed and set-aside, qua the present applicants only.

12. Rule made absolute. Direct service is permitted.

AMAR SINGH

(VIMAL K. VYAS, J)