

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC. APPLICATION (FOR CONSENT QUASHING) NO.
7582 of 2026**

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RAJENDRASINH @ RAJUBHA PRATAPSINH PARMAR & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR. RUDRA M MEHTA(18846) for the Applicant(s) No. 1,2,3,4

MS. KRINA CALLA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE VIMAL K. VYAS****Date : 02/04/2026****ORAL ORDER**

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

2. By way of filing this application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants-accused have prayed to quash and set aside the FIR being C.R. No.11202009260491 of 2026 registered with the City – B Division Police Station, District- Jamnagar, for the offences punishable under Sections 115(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023, and under Section 135(1) of the Gujarat Police Act, as well as all other consequential proceedings arising pursuant thereto qua the applicants.

3. Today, when the matter is called out, the complainant is virtually present before this Court. Learned advocate appearing for the complainant has produced the identity proof of the complainant, which is ordered to be taken on the record. The affidavit filed by the complainant is annexed at Annexure - B to the application. In the said affidavit, the complainant has categorically stated that the dispute with the applicants has been amicably resolved 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 between the parties has been amicably resolved, with the consent of learned advocates for the respective parties, the present application is taken up for final disposal.

5. Rule returnable forthwith. Learned APP Ms. Krina Calla waives service of notice of rule for and on behalf of the respondent No.1 State. Learned advocate Mr. Dhruv Bhatiya waives service of notice of rule for and on behalf of the respondent No.2- complainant.

6. The complainant, who is virtually present in the Court, has stated that the dispute with the applicants has been amicably resolved and he has no objection if the FIR is quashed. Thus, sending the applicants-accused to face the trial would be a futile exercise.

7. The relevant paragraphs of the affidavit filed by the complainant read thus:

"1. I am the respondent no.2-orig. complainant in the memo of petition and I am fully conversant with the facts and circumstances of the case and I am duly competent to file this affidavit.

2. I say that I have gone through the memo of petition and the facts 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. filed by me and registered as C.R. No. 11202009260491 of 2026 with City B Division Police Station, Jamnagar for the offences punishable U/s. 115(2), 352, 351(3) and 54 of the Bhartiya Nyay Sanhita, 2023 and U/s 135(1) of the Gujarat Police Act.

3. I say that I have settled the dispute with the Petitioners as we happens to be friends and due to intervention of our mutual friends, the matter is settled between us and therefore I do not wish to go on with the FIR filed by me against him. I say and submit that FIR in question was lodged by me out of desperation, anger and anxiety and therefore I do not want to prosecute the petitioners any further for the FIR impugned in the present petition.

4. I further say and submit that after lodging the impugned FIR, I realized that a minor dispute has taken a massive shape. After filing the impugned FIR, I realized the nature of hardships and inconvenience, socially and mentally, it will cause to both the sides, if the criminal proceedings continue and both the sides are subjected to rigors of criminal trial, it will immensely affect our future prospects of better life.

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 against the petitioners as the dispute between us has been

amicably settled. I state that the F.I.R. filed by me and registered as C.R. No. 11202009260491 of 2026 with City B Division Police Station, Jamnagar for the offences punishable U/s. 115(2), 352, 351(3) and 54 of the Bhartiya Nyay Sanhita, 2023 and U/s 135(1) of the Gujarat Police Act and all proceedings arising there from, may be quashed in the interest of justice."

8. 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)** as well as **State of Haryana Vs. Bhajanlal** reported in **AIR 1992 SC 604**, it appears that continuing further with the criminal proceedings in relation to the impugned FIR 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 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.

9. In the result, the application is allowed. The FIR being C.R. No.11202009260491 of 2026 registered with the City - B Division Police Station, District- Jamnagar, for the offences punishable under Sections 115(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023, and under Section 135(1) of the Gujarat Police Act, as well as all other consequential proceedings arising pursuant thereto are hereby quashed and set aside qua the applicants.

10. Rule made absolute. Direct service is permitted.

(VIMAL K. VYAS, J)

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