

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 8306 of 2026**

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SAVJIBHAI @ SANJAYBHAI CHHAGANBHAI GUJARIYA
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MALAY S PATEL(8901) for the Applicant(s) No. 1

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

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 10/04/2026

ORAL ORDER

- 1.** Draft amendment is allowed. The same shall be carried out forthwith.
- 2.** Learned advocate Mr. Kuldeep K. Jebaliya submits that he has instructions to appear on behalf of respondent No. 3 - victim. He is permitted to file his appearance. Registry is directed to accept his vakalatnama as and when the same is filed.
- 3.** Heard Mr. Malay S. Patel, learned advocate appearing for the applicant and learned APP Mr. Manan Maheta appearing for the respondent No.1 - State and learned advocate Mr. Kuldeep K. Jebaliya, appearing for the respondent No. 3 - victim.
- 4.** It is submitted that at the time of the alleged occurrence, the victim was aged 15 years, 8 months and 27 days, whereas the accused was aged 22 years. It is submitted that since the

victim and the applicant-accused both were in love, they eloped together and after attaining the age of the majority, the victim got married with the applicant on 18.03.2025, and their marriage has been registered before the Registrar of Marriage, Savarkundla Nagarpalika on 19.03.2025.

5. The victim girl - respondent No.3 is present before the Court today and she has admitted the contents of the affidavit dated 25.03.2026 filed by her, which is annexed as Annexure 'C' to the application. She has further stated that she got married with the present applicant and is residing happily with him, and therefore, she has no objection if the present application is allowed and the impugned FIR is quashed and set aside.

6. Issue **NOTICE** to the respondents, making it returnable on **01.05.2026**.

7. Learned APP Mr. Manan Maheta waives service of notice for and on behalf of respondent No.1 - State and learned advocate Mr. Kuldeep Jebaliya waives service of notice for and on behalf of respondent No.3 - victim.

8. Considering the peculiar facts of the case, the applicant would be at liberty to apply for the adjournment before the trial Court.

9. List this matter on **01.05.2026**.

(VIMAL K. VYAS, J)

AMAR SINGH