

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 7659 of 2026**

With

R/CRIMINAL MISC.APPLICATION NO. 11500 of 2026

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KIRANBHAI MEGHAJIBHAI SONANI (FATHER IN LAW) & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR DARSHANKUMAR P VEGAD(11612) for the Applicant(s) No. 1,2

MS JALPABEN V. VANALIYA for the Respondent(s) No. 2

MS MONALI BHATT, ADDL.PUBLIC PROSECUTOR for the Respondent(s)

No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 11/08/2026

COMMON ORAL ORDER

Rule returnable forthwith. Learned APP Ms. Bhatt waives service of notice of Rule for and on behalf of respondent No.1-State. Learned advocate Ms. Vanaliya waives service of notice of Rule for and on behalf of respondent No.2-original complainant.

1. By way of filing the present 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.11210063260198 of 2026 registered with Singanpor Police Station, District Surat City for the offences punishable under Sections 85, 308(2), 351(3) and 54 of the Bharatiya Nyaya Sanhita, as

well as all consequential proceedings arising therefrom qua the applicants herein.

2. Considering the nature of the dispute involved in the present application and further considering the fact that the parties have amicably resolved their inter se dispute, with the consent of the learned advocates appearing for the respective parties, the present application is taken up for final disposal.
3. Today, when the matter is called out, respondent No.2-original complainant is present before this Court and is identified by the learned advocate Ms. Vanaliya appearing on her behalf. Respondent No.2 has categorically stated that the dispute between the parties has been amicably settled and that she does not wish to proceed further with the impugned complaint.
4. At the outset, learned advocate Mr. Vegad appearing for the applicants submitted that the dispute between the parties has been amicably resolved and the parties have decided to put an end to their grievances. It is submitted that, in view of the settlement arrived at between the parties, continuation of the criminal proceedings would amount to abuse of the process of law.
5. Learned advocate Ms. Vanaliya appearing for respondent No.2 has supported the submissions advanced on behalf of the applicants and reiterated the contents of the affidavit filed by respondent No.2.
6. The present application is opposed by the learned APP Ms. Bhatt appearing for the respondent-State.
7. The complainant, who is present before this Court, has

categorically stated that the dispute has been amicably resolved between the parties and that she has no objection if the impugned FIR is quashed. Thus, permitting the applicants to face the trial would be a futile exercise.

8. The affidavit filed by respondent No.2-original complainant reads thus:

"1. I XXX XXX XXX, herein the respondent no. 2 do hereby solemnly affirm and state on oath as under:

2. That I have read the contents of the application and documents appended with the application. I am well conversant with the facts of the case and being the respondent no. 2 herein (original complainant), I am fully competent to file this affidavit in reply for settlement.

3. It is necessary to state that due to some misunderstanding, I had filed the FIR in heat of the moment. There remains no grievance against the petitioner.

4. That due to Some misunderstanding which resulted in filing of the FIR. However due to intervention of elders in the community and family members, I realised that the petitioners have no role to play in the FIR.

5. I hereby also declare that this affidavit as well as settlement has been made without any pressure, threat, coercion.

6. I therefore declare and solemnly affirm that I have no objection if the quash and set aside FIR registered with Singanpor Police Station, Dist: Surat City vide C.R. No. 11210063260198 of 2026, for the offences punishable under sections 85, 308(2), 351(3), 54 of The Bhartiya Nyay Sanhita, 2023 and u/s 4 of The Dowry Prohibition Act on 18.03.2026, and I have no objection petition is allowed as prayed by the petitioner. I also have no objection if the FIR and other resultant proceedings are quashed and set aside."

9. Having heard the learned advocates appearing for the respective parties and considering the facts and circumstances of the case, as also taking into

consideration the decisions rendered in **Gian Singh Vs. State of Punjab & Anr., (2012) 10 SCC 303; Madan Mohan Abbot Vs. State of Punjab, (2008) 4 SCC 582; Nikhil Merchant Vs. CBI & Anr., 2009 (1) GLH 31; Manoj Sharma Vs. State & Ors., 2009 (1) GLH 190; Narinder Singh & Ors. Vs. State of Punjab & Anr., (2014) 6 SCC 466; and State of Haryana Vs. Bhajan Lal, AIR 1992 SC 604**, this Court is of the opinion that continuation of the criminal proceedings pursuant to the impugned FIR would amount to abuse of the process of law and that no fruitful purpose would be served by permitting the prosecution to continue. Hence, in order to secure the ends of justice, the impugned FIR and all consequential proceedings deserve to be quashed and set aside in exercise of powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

10. In the result, the present applications are allowed. The FIR being C.R. No.11210063260198 of 2026 registered with Singanpor Police Station, District Surat City, as well as all consequential proceedings arising therefrom, are hereby quashed and set aside qua the applicants.
11. Rule is made absolute accordingly. Direct service is permitted.

(M. K. THAKKER,J)

M.M.MIRZA