

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 8432 of 2022

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JIGNESHBHAI JITENDRABHAI PATEL
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MOHIT P PATHAK(7344) for the Applicant(s) No. 1
MR MAHESH PUROHIT for the Respondent(s) No. 2
MS.VRUNDA SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 06/04/2026

ORAL ORDER

1. Learned advocate Mr.Mahesh Purohit is permitted to file vakalatnama. The registry is directed to accept the same.
2. This application is filed for quashment of the FIR being CR I No.11191042220176 of 2022 registered with Satellite Police Station, Ahmedabad City for the offence punishable under section 323, 294 (b) and 506(1) of IPC.
3. At the outset, learned advocate for the complainant has placed on record the affidavit of the respondent no.2 stating that during the pendency of the petition settlement has arrived between the parties and the complainant has agreed to quash the FIR. The same is

ordered to be taken on record. The affidavit of the respondent no.2 is reproduced hereinbelow:

“I, Mahavirbhai Ramlal Agrawal, aged about 61 years, male, residing at: 30, Venetian Villa, Near Anand Niketan School, Thaltej Shilaj Road, Shilaj Circle, Thaltej, Ahmedabad, do hereby solemnly affirm and state on oath as under:-

1. I say that I am the respondent no. 2 and a victim as well 1st informant in the impugned FIR being CR I No. 11191042220176 of 2022 lodged on 30.3.2022 before Satellite Police Station for the offences punishable under the provisions of section 323, 294(b), 506(1) of the Indian Penal Code and therefore, the deponent is entitled to file the present affidavit.

2. I further state that after filing of the impugned FIR, now the dispute between me and the applicant is settled with the efforts of the reputed persons of the society and common friends and now no dispute survives and therefore I thought it fit to settle the dispute amicably and to file this Affidavit in support of the application for quashing of the FIR and all the subsequential proceedings.

3. I further submit that after filing of the impugned FIR, the accounts between me and the applicant is settled and therefore the dispute between us has come to an end and now no grievance is left behind and therefore the applicant has approached this Honorable Court for quashing of the FIR and further proceeding pursuant to the same and I have no objection of the application is allowed and the impugned FIR is quashed and set aside.

4. I say and submit that the applicant and I have no personal grievances or grudges and hence I have decided not to proceed with the matter and to have harmonious relationship between us and therefore I would prefer not to step in to witness box and to give

evidence against the applicant neither I wish that the precious time of the Honorable Court be wasted in a matter which has already been compromised and therefore the present FIR may kindly be quashed on the ground of settlement arrived at between me and the applicant.

5. I say and submit that the impugned FIR was filed because of attending circumstances prevailing at the relevant point of time, but thereafter all the accounts amongst us are cleared and settled and therefore I have no objection if the impugned FIR is quashed and set aside.

6. I submit that I have gone through the contentions raised in the petition as well as the documents annexed thereto and I am filing the present affidavit in support of the application on my own wish and volition without there being any pressure, coercion or any undue influence from anyone.

7. That what is stated hereinabove is true and correct and I am filing this affidavit in support of this application on my own wish and volition without there being any pressure, coercion or any undue influence from anyone.”

4. Having heard the learned advocates appearing for the respective parties, considering the facts and circumstances arising out of the present application as well as taking into consideration the decisions rendered by the Apex Court 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)**, it appears that further continuation of criminal proceedings in relation to the impugned FIR against the applicant would be unnecessary harassment to the applicant. I have also considered the latest decision of the Apex Court in the case of **‘Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat’**, Criminal Appeal No.1723 of 2017, dated 4.10.2017 and the guidelines issued by the Apex Court in the said decision, particularly Paragraph-15, thereof. Considering the nature of disputes between the parties which are all private in nature, I am of the opinion that the matter requires consideration. It appears that the trial would be futile and further continuance of the proceedings pursuant to the impugned FIR would amount to abuse of process of law and hence, to secure the ends of justice, the impugned FIR is required to be quashed and set aside in exercise of powers conferred under Section 482 of the Code.

5. In view of the above, this application is allowed. The impugned FIR being CR I No.11191042220176 of 2022 registered with Satellite Police Station, Ahmedabad City as well as all consequential proceedings are hereby quashed and set aside.

ARCHANA S. PILLAI

(M. K. THAKKER,J)