

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 8531 of 2026

=====

ASHOKBHAI DHARSHIBHAI VAGADIYA & ORS.
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:

MR. PRATEEK S BHATIA(8629) for the Applicant(s) No. 1,2,3,4
MR. RONAK RAVAL, APP for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 20/04/2026

ORAL ORDER

1. The present application is filed for quashment of FIR being CR No.11192019230139/2023 registered at Dholera Police Station, Ahmedabad (Rural) for the offences punishable under section of 465, 467, 468, 471, 120 B, 406, 420 of IPC.
2. At the outset, it is submitted by learned advocate for the applicant that dispute is amicably resolved between the parties and the affidavit of the complainant which is filed is ordered to be taken on record. It is submitted that in view of the settlement and the consent given by the complainant, the impugned FIR deserves to be set aside. The presence of the complainant is also noted.

3. Heard the learned advocate appearing for the applicant. This Court has referred the affidavit filed by the complainant which is reproduced hereinbelow:

"That the present dispute has since been amicably resolved between myself and all the accused persons. Pursuant to the said settlement, I do not wish to pursue any proceedings arising out of the said bearing First Information Report registered as I/11192019230139 of 2023 dated 16.08.2023 with Dholera Police Station, Ahmedabad (Rural) ["impugned FIR"] for offences under Section 465, 467, 468, 471, 120-B, 406, 420 of Indian Penal Code, 1860 and chargesheet filed in connection with the impugned FIR and Criminal Case No.3 of 2024 pending before the Judicial Magistrate First Class, Dholera."

4. 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, the impugned FIR being CR No.11192019230139/2023 registered at Dholera Police

Station, Ahmedabad (Rural), is quashed. Accordingly, all the consequential proceedings are hereby quashed and set aside.

AMIT ITALIAN

(M. K. THAKKER,J)