

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 6744 of 2025**

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JAYABEN HIMANSHU GOLANI & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR MANGAL V GADHAVI(11922) for the Applicant(s) No. 1,2,3,4

MR ADITYA JADEJA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 19/09/2025****ORAL ORDER**

[1.0] Learned advocate Mr. Kunal Handiramani states that he has instructions to appear on behalf of the original complainant and seeks permission to file his Vakalatnama, which is granted. Heard learned advocates for the respective parties.

[2.0] **RULE.** Learned advocates waive service of note of rule on behalf of the respective respondents.

[3.0] Considering the facts and circumstances of the case and since it is jointly stated at the Bar by learned advocates on both the sides that the dispute between the parties has been resolved amicably, this matter is taken up for final disposal forthwith.

[4.0] By way of this petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, the petitioners have prayed to quash and set aside the FIR being **CR No.11821011250335 of 2025 registered with Dahod 'A' Division Police Station, District Dahod** for the offences

punisable under Sections 406, 420 and 114 of the Indian Penal Code, 1860 and to quash all other consequential proceedings arising therefrom.

[5.0] Learned advocates for the respective parties submitted that during the pendency of proceedings, the parties have settled the dispute amicably and pursuant to such mutual settlement, the original complainant has also filed an Affidavit dated 23.08.2024 which is taken on record. In the Affidavit, the original complainant has categorically stated that the dispute with the petitioners has been resolved amicably and that he has no objection, if the present proceedings are quashed and set aside since there is no surviving grievance between them.

[6.0] Having heard learned advocates on both the sides and considering the facts and circumstances of the case as also the principle laid down by the Apex Court in the cases of **(i) Gian Singh Vs. State of Punjab & Anr.**, reported in **(2012) 10 SCC 303**, **(ii) Madan Mohan Abbot Vs. State of Punjab**, reported in **(2008) 4 SCC 582**, **(iii) Nikhil Merchant Vs. Central Bureau of Investigation & Anr.**, reported in **2009 (1) GLH 31**, **(iv) Manoj Sharma Vs. State & Ors.**, reported in **2009 (1) GLH 190** and **(v) Narinder Singh & Ors. Vs. State of Punjab & Anr.** reported in **2014 (2) Crime 67 (SC)** as also considering the fact that complaint was filed against the in-laws and wife of respondent No.2 and has been settled amicably and this factum is affirmed by the respondent No.2 who has remained personally present and has submitted that he and petitioner No.1 – wife have parted

their ways and therefore, no purpose would be served in continuing with the impugned FIR and hence, in the opinion of this Court, the further continuation of criminal proceedings against the present petitioners in relation to the impugned FIR would cause unnecessary harassment to the petitioners. Further, the continuance of trial pursuant to the mutual settlement arrived at between the parties would be a futile exercise. Hence, to secure the ends of justice, it would be appropriate to quash and set aside the impugned FIR and all consequential proceedings initiated in pursuance thereof.

[7.0] In the result, petition is allowed. The impugned FIR being **CR No.11821011250335 of 2025 registered with Dahod 'A' Division Police Station, District Dahod** as well as all consequential proceedings initiated in pursuance thereof are hereby quashed and set aside *qua* the petitioners herein. If the petitioners is in jail, the jail authority concerned is directed to release the petitioners forthwith, if not required in connection with any other case. Rule is made absolute to the aforesaid extent only. Direct service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AJAY CHANDRAN MENON(HC00939), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 19/09/2025 18:35:18