

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 10592 of 2026

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THAKOR MANOJ @ MALAJI PRAHLADJI & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR BHAVESH B SARODE(6454) for the Applicant(s) No. 1,2,3,4
MR JAY MEHTA, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No.
1
MS NAMRATA MULCHANDANI for the Respondent No.2

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 07/07/2026

ORAL ORDER

Rule returnable forthwith. Learned APP Mr. Mehta waives service of notice of Rule for and on behalf of respondent No.1-State. Learned advocate Ms.Mulchandani 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. 11206020260226 of 2026 registered with Kadi Police Station for the offences punishable under Sections 115(2), 118(1), 118(2), 351(2) 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. At the outset, it is submitted by learned advocate Mr. Sarode that, though the allegation in the impugned FIR is that the injuries were inflicted by using a deadly weapon, the injury certificate does not disclose that the injured had sustained any grievous or serious injury. It is further submitted that the dispute has now been amicably resolved between the parties 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.
4. Learned advocate Mr. Mulchandani, appearing for respondent No.2, reiterated the submissions advanced by learned advocate Mr. Sarode for the applicant. It is noted that, by order dated 18.06.2026, this Court had already dispensed with the presence of the original complainant.
5. The present application is opposed by the learned APP Mr. Mehta appearing for the respondent-State.
6. The complainant, who is present before this Court, has categorically stated that the dispute has been amicably resolved between the parties and that he has no objection if the impugned FIR is quashed. Thus,

permitting the applicants to face the trial would be a futile exercise.

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

“I, XXX XXX XXX do hereby solemnly affirm and state as under :

1 I state that I am residing at the aforesaid address. I state that I am the original complainant and respondent no. 2 herein.

2 I state that I have filed the complaint being C.R. No. 11206020260226/2026 registered with Kadi Police Station dated 5/3/2026 for the offences punishable under sections 115 [2], 118 [1], 118 [2], 351 [2] and 54 of the Bharatiya Nyay Sanhita [B.N.S.] and section 135 of the G. P. Act, against the petitioners.

3 I state that at the intervention of the leaders and reputed persons of the society, family and friends, the dispute in question is settled and compromise has been arrived at between the petitioners and the respondent no. 2 herein original complainant and in view of this, now respondent no. 2 original complainant is not having any grievance against the petitioners and respondent no. 2 original complainant does not proceed further with the complaint in question and I have no objection if the complaint in question is quashed and set aside, by this Hon'ble Court. This affidavit is filed for the aforesaid purpose. want to

I state that this affidavit is filed by me in sound state of mind, with free consent and without any sort of pressure/influence whatsoever.”

8. 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 application is allowed. The FIR being C.R. No. 11206020260226 of 2026 registered with Kadi Police Station, 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