

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO.
6630 of 2026

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HISHAM MUNIR ABDUL MUNIR
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR ZUBIN F BHARDA(159) for the Applicant(s) No. 1
MS. VAISHALI R. ASARI(18312) for the Respondent(s) No. 2
MR DHAWAN JAYSWAL, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 13/08/2026

ORDER

1. Present Petition is preferred by the Petitioner (Original Accused) under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of Part A- FIR No.11210046260520 of 2026 registered with Puna Police Station, Surat for the offences punishable under Sections 69 of BNSS.
2. Heard learned Advocate for the Petitioner and learned APP for the Respondent – State. Learned Advocate Ms.Vaishali Asari appears and states that he has received instructions to appear on behalf of Respondent No.2 – Original Complainant and he would be filing his appearance during the course of the day. Registry to accept the Vakalatnama.
3. Rule. Learned APP waives service of notice for and on behalf of the respondent – State and learned Advocate Ms.Vaishali Asari waives service of Rule on behalf of the Original Complainant.
4. Learned Advocate for the Petitioner submitted that the matter has been amicably settled between the parties and they are now not willing to proceed with the complaint any further.

5. Leaned Advocate appearing on behalf Original Complainant, has placed on record the Affidavit dated 1.5.2026. She submitted that matter has been amicably settled between the parties and there is no objection if present Petition is allowed.

6. The complainant, Nithu Arjun Bhandari is present before the court who has been identified by learned advocate for the complainant and he has also filed an affidavit on record of the present petition indicating the settlement arrived at between the parties. In para No.3 of the said affidavit, it is stated as under,

“I state that I have on my own volition, free will and with the consent of my parents undergone an abortion and the dispute with regard to my pregnancy has also been resolved between me and the petitioner as according to me, the petitioner was not responsible for my pregnancy. I have on my own volition and upon the consent of my parents, taken a conscious decision to consent to the quashing of the FIR as well as the further proceedings emanating from the FIR against the petitioner. Therefore, as the dispute is private in nature and does not involve any interest of the State Government and as I am major and upon realizing that the FIR was registered due to misunderstanding and due to my judgment being clouded, without taking into consideration the consequences that the petitioner will have to face, I have not upon realizing the seriousness decided to accord my consent to this Hon’ble Court to quash the impugned complaint Part- A C.R. No.11210046260520 of 2026, for the offence punishable under Section 69 of the Bhartiya Nyay Sanhita with Puna Pilice Station, District-Surat.”

7. Considering averments made in the Affidavit as also the submissions made by the learned Advocates for the respective parties, the present Application deserves to be allowed and is hereby allowed. The Part A- FIR No.11210046260520 of 2026 registered with Puna Police Station, Surat and other consequential proceedings is hereby quashed and set aside qua the present Petitioner. Rule is made absolute.

Direct service is permitted.

Manshi

(M. R. MENGDEY,J)