

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR CONSENT QUASHING) NO.
10922 of 2026**

=====

SUNILBHAI KINDARBHAI RATHAVA

Versus

STATE OF GUJARAT & ORS.

=====

Appearance:

MR. VASIMRAJA A KURESHI(8609) for the Applicant(s) No. 1

MR. TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS**Date : 07/05/2026****ORAL ORDER**

1. Learned advocate Ms. Devanshi Kakkad submits that she has instructions to appear on behalf of the respondent no.3 - Victim. She is permitted to file her appearance. Registry shall accept her vakalatnama.

2. Heard learned advocate Mr. Vasimraja Kureshi appearing for the applicant and learned APP Mr. Tirthraj Pandya appearing for the respondent - State.

3. Perused the entire material on record along with the impugned FIR.

4. Learned advocate Mr. Vasimraja Kuseshi appearing for the applicant has submitted that at the time of incident, the victim was aged about 17 years, 5 months, whereas the applicant was aged about 22 years. It is further submitted that both were in love with each other and had eloped together, and after, the victim attained the age of majority, both of them got married on 12.04.2024 at Saibaba Mandir Chhotaudepur and the same was registered on 20.04.2024, before the Registrar of Marriages, Chhotaudepur, Nagarpalika. The Certificate of Registration of Marriage is annexed at Annuxure - D to the application. It is also submitted that both of them are blessed with a baby boy and the birth certificate of the baby boy is annexed at Annexure - E to the application.

5. Learned advocate Ms. Devanshi Kakkad appearing for the respondent no.3 - victim has tendered the affidavit of the victim dated 03.05.2026, which is annexed at Annexure - C to the application. Learned advocate Ms. Kakkad has submitted that the victim, after attaining the age of majority, got married with the present applicant and blessed with a baby boy, and therefore, she has no objection if the present application is allowed and the impugned FIR is quashed and set-aside.

6. The victim is personally present before this Court and has admitted the contents of her affidavit.

7. Issue **NOTICE** to the respondents, making it returnable on **08.06.2026**.

8. Learned APP Mr. Tirthraj Pandya waives service of notice for and on behalf of the respondent no.1 – State of Gujarat and learned advocate Ms. Devanshi Kakkad waives service of notice for and on behalf of the respondent no.3 – victim.

9. In the meantime, let there be an ad-interim relief in terms of paragraph 10(c) till the next date of hearing.

10. The presence of the victim is dispensed with on the next date of hearing.

DEEPAK GEHLOT

(VIMAL K. VYAS, J)