

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR CONSENT QUASHING) NO.
11108 of 2026**

**With
R/CRIMINAL MISC.APPLICATION NO. 11127 of 2026**

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OM RAJUBHAI BAROT
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR HARDIK H DAVE(6295) for the Applicant(s) No. 1

MS JAY MEHTA, ADDL.PUBLIC PROSECUTOR for the Respondent(s) No. 1

MS SHRADHDHA C. PIPALIA for Respondent No.2

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 18/06/2026

COMMON ORAL ORDER

1. 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.Pipalia waives service of notice of Rule for and on behalf of respondent No.2-original complainant.
2. 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 No.11207028260183 of 2026 registered with Halol Town Police Station at Panchmahals for the offences punishable under Sections 118(1),118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita and Section 135 of the Gujarat Police Act as well as all consequential proceedings arising therefrom qua the applicants herein.
3. 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 advocate Ms. Pipalia appearing for the respondent-original complainant, the present application is taken up for final disposal.

4. Today, when the matter is called out, respondent No.2-original complainant is present before this Court through video conference and is identified by the learned advocate appearing on his behalf. Respondent No.2 has categorically stated that the dispute between the parties has been amicably settled and that he does not wish to proceed further with the impugned complaint.
5. At the outset, learned advocate Mr. Dave appearing for the applicant submitted that the dispute between the parties, which is private in nature, has been amicably resolved and that the parties have decided to put an end to their grievances. It is submitted that the complainant has no objection if the impugned FIR is quashed. It is further submitted that, even otherwise, the medical certificate does not indicate any serious injuries having been sustained by the complainant. It is submitted that, in view of the settlement arrived at between the parties, continuation of the criminal proceedings would amount to an abuse of the process of law.
6. This Court has referred the medical certificate of the complainant.
7. Learned advocate appearing for respondent No.2 has supported the submissions advanced on behalf of the applicants and reiterated the contents of the affidavit

filed by respondent No.2.

8. The present application is opposed by the learned APP Mr. Jay Mehta appearing for the respondent-State.
9. 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.
10. The affidavit filed by respondent No.2-original complainant reads thus:

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

1. I state and submit that I am the Respondent No. 2 in the captioned matter, and further that I had registered a F.I.R. F.I.R No 11207028260183 of 2026, registered with, Halol Town Police Station at Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act.

2. I state and submit that the dispute between present Applicant and I has been amicably settled on account of intervention by common friends and good people of society. I further state that I do not wish to proceed against the present Applicant, and therefore, aforesaid F.I.R. dated 16.03.2026, being No.11207028260183 of 2026, registered with, Halol Town Police Station at Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act. A certified copy of F.I.R No. 11207028260183 of 2026, registered with, Halol Town Police Station at

Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act may be quashed and set aside.

3. I state and submit that I have no objections whatsoever and I will not raise any objection in future if the F.I.R. being No.11207028260183 of 2026, registered with, Halol Town Police Station at Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act. A certified copy of F.I.R No. 11207028260183 of 2026, registered with, Halol Town Police Station at Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act and all the subsequent proceedings arising therefrom may be quashed and set aside qua the present Applicant.

4. I state and submit that I have consented voluntarily out of my own free will for quashing and setting aside of F.I.R. dated 16.03.2026, being No.11207028260183 of 2026, registered with, Halol Town Police Station at Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act. A certified copy of F.I.R No. 11207028260183 of 2026, registered with, Halol Town Police Station at Panchmahal for the offences punishable U/S. 118(1), 118(2), 352, 351(3) and 54 of the Bharatiya Nyaya Sanhita, 2023 and U/s. 135 of the Gujarat Police Act.

5. I, the Complainant, do hereby state and submit that I have signed the present affidavit voluntarily, out of my free will and consent, without any coercion, undue influence, threat, pressure, or misrepresentation of any kind.”

11. 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.

12. In the result, the present application is allowed. The FIR being No.11207028260183 of 2026 registered with Halol Town Police Station at Panchmahals as well as all consequential proceedings arising therefrom, are hereby quashed and set aside qua the applicants.
13. Rule is made absolute accordingly. Direct service is permitted.