

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 17199 of 2026

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NAKUM VISHALSINH BHARATSINH & ORS.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR MEHUL K KAKKAD(11543) for the Applicant(s) No. 1,2,3,4
MR NIRAJ SHARMA, APP for the Respondent(s) No. 1
MS HEMANSHI NANDA for the Respondent No.2

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 27/07/2026

ORAL ORDER

1. **Rule.** Learned APP waives service of notice for and on behalf of the respondent – State.
2. The present application is filed for quashment of FIR being no.11200001220002 of 2022 dated 07.10.2022 registered at Valsad Mahila Police Station, Dist: Valsad, for the offences punishable under section of 498A, 323, 504, 506(2), 34, 114 of the IPC as well as sections 3, 4 of the Dowry Prohibition Act, and subsequent filing of Chargesheet being Chargesheet No.4 of 2022 dated 05.12.2022 which culminated into Criminal Case being Criminal Complaint No.265 of 2023, pending before

Hon'ble Principal Senior Civil Judge & ACJM.

3. At the outset, it is submitted by learned advocate Mr. Kakkad for the applicants that the dispute is resolved between the husband and wife, and the complainant/wife has given consent for quashment of the FIR. Learned advocate Ms. Hemanshi Nanda appearing for respondent no.2/complainant has supported the said submission, and has reiterated the facts mentioned in the affidavit filed by the complainant at page: 27. The complainant who has remained present before this Court through video conferencing is identified by the learned advocate for the complainant. It is submitted that in view of the settlement and the consent given by the complainant, the impugned FIR deserves to be set aside.
4. Having heard the learned advocates appearing for the respective parties, considering the nature of dispute as well as considering the affidavit and taking into consideration the decisions rendered by the Apex Court in the cases of '**Gian Singh Vs. State of Punjab & Anr.**', reported in **(2012) 10 SCC 303**, '**Madan Mohan Abbot Vs. State of Punjab**', reported in **(2008) 4 SCC 582**, '**Nikhil Merchant Vs. Central Bureau of**

Investigation & Anr.’, reported in **2009 (1) GLH 31**, **‘Manoj Sharma Vs. State & Ors.’**, reported in **2009 (1) GLH 190** and **‘Narinder Singh & Ors. Vs. State of Punjab & Anr.’**, reported in **2014 (2) Crime 67 (SC)**, it appears that further continuation of criminal proceedings in relation to the impugned FIR against the applicant would be unnecessary harassment to the applicant. This Court has also considered the latest decision of the Apex Court in the case of **‘Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat’**, Criminal Appeal No.1723 of 2017, dated 4.10.2017 and the guidelines issued by the Apex Court in the said decision, particularly Paragraph-15, thereof. Considering the nature of disputes between the parties which are all private in nature, this Court is of the opinion that the matter requires consideration. It appears that the trial would be futile and further continuance of the proceedings pursuant to the impugned FIR would amount to abuse of process of law and hence, to secure the ends of justice, the impugned FIR is required to be quashed and set aside in exercise of powers conferred under Section 482

of the Code.

5. In view of the above, the impugned FIR being No.11200001220002 of 2022 dated 07.10.2022 registered at Valsad Mahila Police Station, Dist: Valsad, for the offences punishable under section of 498A, 323, 504, 506(2), 34, 114 of the IPC as well as sections 3, 4 of the Dowry Prohibition Act, and subsequent filing of Chargesheet being Chargesheet No.4 of 2022 dated 05.12.2022 which culminated into Criminal Case being Criminal Complaint No.265 of 2023, pending before Hon'ble Principal Senior Civil Judge & ACJM, is quashed. Accordingly, all the consequential proceedings are hereby quashed and set aside. Rule is made absolute.

(M. K. THAKKER,J)

AMIT ITALIAN