

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO.
10062 of 2026**

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ARFAT SAMIRHUSEN SUTHAR
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR DAXESH D BAROT(13149) for the Applicant(s) No. 1
MS. DHWANI TRIPATHI, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 16/07/2026

ORDER

1. Learned Advocate Mr. Mahipalsinh Rao appearing for the original complainant shall file his appearance before the Registry.
2. Present application is preferred by the petitioner under Article 226 of the Constitution of India seeking quashing of the judgment dated 22.04.2026 passed by the learned 2nd Additional Chief Judicial Magistrate, Modasa in Criminal Case No.2763 of 2025.
3. Heard learned Advocate for the petitioner and learned APP for the Respondent – State.
4. Rule. Learned APP waives service of notice for and on behalf of the respondent – State.
5. Learned Advocate for the petitioner has submitted that the matter has been amicably settled between the parties and they are now not willing to

proceed with the complaint any further.

6. Learned Advocate Mr. Mahipalsinh Rao appearing on behalf of Respondent No.2 (Original Complainant) has placed on record duly sworn in Affidavit dated 03.07.2026. The same is ordered to be taken on record. Learned Advocate has submitted that matter has been amicably settled between the parties and there is no objection if present application is allowed.

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 complaint registered against the petitioner under Section 138 of the N.I. Act as well as the judgment dated 22.04.2026 passed by the learned 2nd Additional Chief Judicial Magistrate, Modasa in Criminal Case No.2763 of 2025, is hereby quashed and set aside. Rule is made absolute.

RAVI OZA

(M. R. MENGDEY,J)