

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 12413 of 2023**

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JAMATMAL JETHANAND BHAMBHANI & ANR.**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**MR KRUNAL L SHAHI(6519) for the Applicant(s) No. 1,2****NOTICE SERVED for the Respondent(s) No. 2****MR K M ANTANI, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR.JUSTICE J. L. ODEDRA**Date : 25/03/2026****ORAL ORDER**

1. Present application is preferred by the Applicants under Section 482 of the Code of Criminal Procedure, seeking quashing of FIR No. 11208050230733 of 2023 registered with City A Division Police Station, Rajkot City for the offences punishable under Sections 504, 506(2), 120B, 114 of the Indian Penal Code.

2. Learned advocate Mr. P.D. Pithadiya submits that he has instructions to appear on behalf of the respondent no.2 and he may be permitted to file his vakalatnama.

Permission as sought for is granted. The Registry is directed to accept vakalatnama of learned advocate Mr. P.D. Pithadiya.

3. Heard learned Advocate for the Applicants 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 Applicants 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. Leaned Advocate Mr. P.D. Pithadiya appearing on behalf of Respondent No. 2, who is present before this Court, has placed on record duly sworn in Affidavit dated 12.01.2026. 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. The affidavit reads thus:

“ I, Mrs. Mahek w/o Lalitbhai Bhambhani, Aged about 40 years, residing at Block D2/301, Dream City, Behind Aalap Green City, Raiya Road, Rajkot, the respondent no.2 in the application mentioned above and the original first informant herein, do hereby solemnly affirm and state on oath as under:-

1. I am fully conversant with the facts and circumstances of the case, and being the respondent no.2 and the original first

informant. Therefore, I am duly competent to file the present affidavit. I further state that at the outset, the disputes and grievances with all accused persons have been amicably settled outside the court, and I do not wish to proceed any further against any of the applicants/accused. Therefore, the FIR lodged by me on 21/08/2023 before Rajkot city A-Division Police-Station being FIR No. 11208050230733 of 2023 for offences punishable u/s 504, 506(2), 114, 120(b) of IPC, and Charge-Sheet which came to be filed on 10/11/2023, and all other consequential proceedings in connection with the FIR mentioned above be quashed on the ground of an amicable settlement arrived between us.

2. I say and submit that I have resolved the dispute with all the applicants/accused, and now I do not have any further grievances against any of the accused persons. I state that I have been residing at the address mentioned above. After an amicable settlement between all accused persons, my husband [accused no.2 in the charge-sheet] and I, mutually filed a family suit, being Family Suit No. 832 of 2025, before the Ld. Family Court, Rajkot. The Ld. Family Court, Rajkot, was pleased to dissolve the marriage of the respondent no.2 with her husband, vide order dated 22/12/2025 at Exh-19.

3. I have entered into a compromise for our better future, and after filing the above FIR, I realized the nature of hardships and inconvenience, socially and mentally, it will

cause to both the sides, if the criminal proceedings continue, both sides are subjected to the rigors of a criminal trial, which will immensely affect our future prospects of a better life.

4. In the above-mentioned facts and circumstances, I, at my free will, wish, and desire, stating on oath that I do not wish to prosecute/proceed further against the applicants/the accused, as the dispute has been amicably settled. I state and submit that FIR lodged by me on 21/08/2023 before Rajkot city A Division Police Station, being FIR No. 11208050230733 of 2023 for offences punishable u/s 504, 506(2), 114, 120(b) of IPC, and Charge-Sheet and all other consequential proceedings against the present applicants. Therefore, the present FIR and all other subsequent proceedings arising out of it may be quashed in the interest of justice.”

6. 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 FIR being CR No. 11208050230733 of 2023 registered with A Division Police Station, Rajkot City is hereby quashed and set aside qua the present applicants.

Rule is made absolute. Direct service is permitted.

(J. L. ODEDRA, J)

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