

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 21720 of 2025

=====

MEHUL @ MEHULKUMAR ARKHABHAI PARMAR
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:
JAGAT V PATEL(7480) for the Applicant(s) No. 1
NOTICE SERVED TO CONCERNED POLICE STATION HOWEVER,
MR.RAHIL JAIN for for the Respondent(s) No. 2
MR.RONAK RAVAL, APP for the Respondent(s) No. 1
=====

CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 30/04/2026

ORAL ORDER

1. Learned advocate Mr.Rahil Jain is permitted to file his vakalatnama. Registry is directed to accept the same.
2. The present application is filed for quashment of FIR being FIR No. 11209020251241 of 2025 registered with Idar Police Station.
3. At the outside it is submitted by learned advocate Mr.Jagat Patel, for the applicant that the dispute is amicably resolved between the parties and the complainant has given consent for quashment of the FIR. Learned advocate Mr.Rahil Jain, appearing for the respondent no.2 has placed on record the affidavit filed by the complainant in presence of the complainant,

which is ordered to be taken on record.

4. This Court has referred the affidavit of the complainant which is reproduced hereinbelow:

“I, the undersigned, ... Age: 24 years, Occup: Household, Female Residing at: B/h Thakkarbapa Ashram, Parmar Vas, Idar, Sabarkantha, do hereby solemnly affirm and state as under:

1. I state that I am the original complainant in the present application filed by the applicant(s).

2. I state that I have filed the FIR vide 11209020251241 of 2025 before IDAR Police Station District SABARKANTHA for the alleged offences punishable under Sections 64(2)(m), 352 of Bhartiya Nyaya Sanhita and section 4, 5(L), 6 of POCSO Act.

3. I state that the impugned FIR registered against the applicant by me was filed against the will and wish of myself that I state that my family members had assaulted me and forced me to file the impugned First Information Report against the applicant, that I state that subsequent to the impugned First Information Report I have left my residential house and I had filed the detailed written compliant dated 18-03-2026 regarding the assault and the forceful act of my family before the Superintendent of Police Sabarkantha District.

4. I state that I had no grievance with the applicant since inception that I state that I never intend to file the First Information Report against the applicant that therefore I now have no objection if the alleged impugned FIR and subsequent proceedings are quashed and set aside.

5. I state that I have no objection if the FIR vide 11209020251241 of 2025 before IDAR Police Station District SABARKANTHA for the alleged offences punishable under Sections 64(2)(m), 352 of Bhartiya Nyaya Sanhita and section 4, 5(L), 6 of POCSO Act, and all prior and

subsequent proceedings against the applicant(s), are quashed and set aside.

6. I declare that this affidavit and settlement are executed voluntarily, without any coercion, undue influence, or misrepresentation.

I state that what is stated hereinabove is true and correct to the best of my knowledge, information, and belief, and I believe the same to be true.”

5. Having heard learned counsel appearing for the respective parties, as well as considering the facts and circumstances arising out of the present application and also taking into consideration the decisions rendered 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)*** as well as ***State of Haryana Vs. Bhajanlal*** reported in ***AIR 1992 SC 604***, it appears that continuing further with the criminal proceedings in relation to the impugned FIR and the Criminal Case against the

applicants-accused would be an unnecessary harassment to the applicants-accused. It further appears that the trial would be a futile exercise and further continuing with the criminal proceedings pursuant to the impugned FIR and the Criminal Case would amount to abuse of process of law. Hence, to secure the ends of justice, the impugned FIR as well as the proceedings of the Criminal Case, so also all other consequential proceedings are required to be quashed and set aside in exercise of the powers conferred under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. In view of the above, the impugned FIR being FIR No. 11209020251241 of 2025 registered with Idar Police Station is quashed. Accordingly, all the consequential proceedings are hereby quashed and set aside.

ARCHANA S. PILLAI

(M. K. THAKKER,J)