

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO.
16877 of 2025

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JAYESHBHAI DHIRUBHAI MEGHANI
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR.SHATRUGHN S SONI(17589) for the Applicant(s) No. 1
MR UTKARSH SHARMA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 15/01/2026

ORAL ORDER

1. Present application is preferred by the Petitioner under Section 528 of Bhartiya Nagarik Suraksha Sanhita, seeking quashing of Criminal Case No. 5175 of 2017 passed by 4th Additional Chief Judicial Magistrate, Rajkot for the offences punishable under Section 138 of the Negotiable Instrument Act.
2. Heard learned Advocate for the Applicant and learned APP for the Respondent – State.
3. Rule. Learned APP waives service of notice for and on behalf of the respondent – State.
4. 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.
5. Learned Advocate Mr. Hirenkumar M. Niyalchandani appearing on

behalf of Respondent No. 2 (Original Complainant), has placed on record duly sworn in Affidavit dated 10.12.2025. 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:

2. *“ I further state on oath and submit that now all the due amount has been paid by the petitioner herein and there is no outstanding amount remaining from the present petitioner, the dispute between the present petitioner and complainant herein is sorted out and resolved and that is how the matter is amicably settled between the parties, now there is no heart-burning / dispute whatsoever in the said regard, the undersigned has no objection if this Hon'ble Court exercises discretion in favour of the present petitioner and quash and setaside the order and judgement being CC no. 5175 of 2017 pass by 4th additional chief judicial magistrate, rajkot.”*

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 Criminal Case No. 5175 of 2017 passed by 4th Additional Chief Judicial Magistrate, Rajkot is hereby quashed and set aside.

7. If the applicant is in jail he shall be released forthwith.

Rule is made absolute.

SAKSHI MAURYA

(M. R. MENGDEY,J)