

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 17227 of 2025**

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DHARMESH @DHARAM VIJAYBHAI ISHVARBHAI GANDHI
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MS PRIYANKA A GUPTA(12869) for the Applicant(s) No. 1
MR KRUNAL G PATEL(8525) for the Respondent(s) No. 2
MS. VRUNDA SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 06/01/2026

ORAL ORDER

1. Present application is preferred by the Petitioner under Section 482 of the Code of Criminal Procedure, seeking quashing of FIR No.11191024231198 of 2023 registered with Ramol Police Station, Ahmedabad for the offences punishable under Sections 363, 366, 376(2)(n), 376(3), 377 and 144 of the Indian Penal Code, 1860 and Sections 3(a), 4, 5(I)(n), 6, 11(6), 12 and 18 of the POCSO 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. Leaned Advocate Mr. Krunal G. Patel appearing on behalf of Respondent No. 2 (Original Complainant), who is present before this Court, has placed on record duly sworn in Affidavit dated 11.11.2025. 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:

"I, Ishaben W/o Shaileshbhai Ishvarbhai Pandya, Aged - About 36 Year, Occupation Housewife, Residing at House No. 14/440, Satyam Avas Yojana, Audana Makanma, Opp. Tanman Bhajipav, Vastral, Ahmedabad, do hereby solemnly affirm and state on oath as under that:-

- 1. I am the Respondent No. 2 i.e Org. Complainant in the memo of the petition and I am fully conversant with the facts and circumstances of the case and I am duly competent to file this affidavit.*
- 2. I say and submit that I have gone through the memo of petition and the facts and grounds stated in the memo of petition are not disputed by me. At the outset, the disputes and grievances of both sides have been amicably settled and I don't wish to prosecute the Applicant any further with respect to the FIR being C. R. No. 111191024231198 of 2023 registered with the Ramol Police Station, Ahmedabad city and the Charge Sheet vide Charge Sheet No. 10 of 2024 which had been filed before the Learned Special POCSO Judge, City Civil & Sessions Court, Ahmedabad city on 15.01.2024 and the POCSO Case No. 8 of 2024 which is pending before the Learned Special POCSO Judge, City Civil & Sessions Court, Ahmedabad city for the offences punishable under Sections 363, 366, 376(2)(n), 376(3), 377 and 144 of the Indian Penal Code, 1860, 3(a), 4, 5(1)(n), 6, 11(6), 12 and 18 of POCSO*

Act, 2012.

3. *I state and submit that the Applicant and the Original Complainant i.e. Respondent No. 2, herein have amicably settled the dispute in question with the intervention of senior members of family, society and close friends. That the Accused and Org. Complainant realized that criminal proceedings pending between the parties would result into multiplicity of other proceedings and with a view to avoid such further proceedings, it is decided amongst the parties to resolve the dispute inter-se amicably.*
4. *I say and submit that the said FIR had been lodged in hurry and the said dispute between the parties is purely of personal nature. And therefore, no useful purpose will be served with the FIR against the Accused in view of the settlement arrived at between the parties in respect of disputes which are purely of personal nature.*
5. *I say and submit that the Victim is residing with the Applicant and she had given a birth of baby girl namely Ayal on 14.08.2025. The Accused is the father of the said baby girl and they are residing happily under the same roof. Therefore, I have agreed to support the Applicant in respect of prosecution initiated against the Applicant on the basis of the POCSO Case No. 8 of 2024 and the aforesaid FIR which had been lodged in Ramol Police Station. Ahmedabad city. Hence, as per the mutual understanding, I have not any objection for quashing the entire proceedings regarding the impugned FIR and POCSO Case No. 8 of 2024 which is pending before the Learned City Civil and Sessions Court, Ahmedabad city. Thus, I do not want to prosecute the impugned FIR and POCSO Case against the present Applicant. If the criminal proceedings may be continued, the life of Applicant, Victim and their daughter will be destroyed because it will also immensely affect their future prospects of better life.*
6. *I say and submit that I don't have any objection if the*

aforesaid FIR being C. R. No. 111191024231198 of 2023 registered with the Ramol Police Station, Ahmedabad city and the entire proceedings of the aforesaid POCSO Case No. 8 of 2024 which is pending before the Learned City Civil and Sessions Court, Ahmedabad city will be quashed and set aside by this Hon'ble Court by way of allowing the present petition."

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 No.11191024231198 of 2023 registered with Ramol Police Station, Ahmedabad** is hereby quashed and set aside. Rule is made absolute.

(M. R. MENGDEY,J)

NABILA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NABILABANU MOHAMADNOOR PATNIJAMAT(HC00630), Private Secretary, at High Court of Gujarat on 08/01/2026 17:57:45