

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO.
11038 of 2025**

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HIMATSINGH RAKESHSINGH MOHANSINGH TOMAR & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR. RAHUL M BAROT(9965) for the Applicant(s) No. 1,2,3,4,5,6,7

MS. JYOTI BHATT, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 24/11/2025

ORAL ORDER

1. Present application is preferred by the Petitioners under Section 482 of the Code of Criminal Procedure, seeking quashing of FIR No.111191029250164 of 2025 registered with Rakhiyal Police Station, Ahmedabad for the offences punishable under Sections 140(4), 189(1), 189(4), 190, 117(2), 118(1), 115(2), 295(b) and 351(3) of Bharatiya Nyaya Sanhita and Section 135(1) of the Gujarat Police Act.
2. Learned advocate for the petitioners has sought permission to withdraw the present application qua the petitioner nos.1 to 6.
- 2.1 Permission as sought for is granted qua the petitioner nos.1 to 6. The petition stands disposed of qua the petitioner nos.1 to 6.

3. **Rule** qua the petitioner no.7. Learned APP waives service of notice of Rule on behalf of respondent-State.
4. Heard learned Advocate for the Applicant and learned APP for 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. Leaned Advocate Mr. Musaib Shaikh appearing on behalf of Respondent No. 2 (Original Complainant), who is present before this Court, has placed on record duly sworn in Affidavit dated 30.07.2025. 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, the undersigned, Narendranath, Bhavarnath Nathunath Yogi, Age: 32 years, Occupation: Rickshaw Driver, Residing at: House No. 18, in the residence of Sukhdevbhai Desai, Opposite Krishnanagar School, opposite Fire Brigade, Rabari Vasahat, Odhav, Ahmedabad and Respondent No. 2 as well as First Informant / Victim in the Petition filed by HIMATSINGH RAKESH SINGH MOHANSINGH AND OTHERS for the purpose of Quashing of the F.I.R filed by me vide F. I. R vide 111191029250164 of 2025 before Rakhiyal Police Station Ahmedabad on oath

and solemnly affirm that;

I say and submit that due to intervention of the respected members of the society and family, mutual understanding and agreement is arrived between me and OriginalAccused/Applicants in the above said FIR ie. HIMATSINGH RAKESHSINGH MOHANSINGH AND OTHERS and now I don't have any grievance with him.

I further state that as such now I intend that I have no objection if the F.I.R and all subsequent proceedings are Quashed filed against HIMATSINGH RAKESHSINGH MOHANSINGH AND OTHERS i.e. Applicants/Accused.

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

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 qua the petitioner no.7 i.e. Bajrangsinh Jitwarsingh Tomar and the same is hereby allowed. The **FIR No.111191029250164 of 2025 registered with Rakhiyal Police Station, Ahmedabad** is hereby quashed and set aside i.e. Bajrangsinh Jitwarsingh Tomar. Rule is made absolute qua the petitioner no.7 i.e. Bajrangsinh Jitwarsingh Tomar.

(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 27/11/2025 11:30:17