

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO.
1860 of 2026****With
CRIMINAL MISC.APPLICATION (FOR JOINING PARTY) NO. 1 of 2026
In R/SPECIAL CRIMINAL APPLICATION NO. 1860 of 2026**=====
ASHOKBHAI JIVRAJBHAI SAVANI & ORS.**Versus
STATE OF GUJARAT & ANR.**
==========
Appearance:**MR.NANDISH H THACKAR(7008) for the Applicant(s) No. 1,2,3
MR ROHAN SHAH, APP for the Respondent(s) No. 1**
=====**CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY****Date : 09/02/2026****ORAL ORDER****Order in Criminal Misc. Application No. 1 of 2026**

Criminal Misc. Application No. 1 of 2026 stands allowed. The applicants are ordered to be included in the main petition as the heirs are legal representative of the original complainant

Order in Special Criminal Application No. 1860 of 2026

1. Present application is preferred by the Petitioner under Section 482 of the Code of Criminal Procedure, seeking quashing of FIR No. I- 30 of 2010 registered with Chowk Bazaar Police Station, Surat for the offences punishable under Sections 406, 420, 467, 468, 471, 504, 506(2), 114, 120(B), 34 of IPC.

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 there is no antecedents against the petitioner and 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. Karan V. Vyas appearing on behalf of Respondent No. 2 (Original Complainant), who is present before this Court, has placed on record duly sworn in Affidavit dated 16.12.2025. 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 say and submit that Lt. Maganbhai Mangubhai Patel passed away on 17/10/2023, leaving behind following legal heirs (1) Revaben w/o Maganbhai Mangubhai Patel, (2) Navinbhai Maganbhai Patel, (3) Ashokbhai Maganbhai Patel, (4) Ushaben d/o Maganbhai Mangubhai Patel, (5) Balvantbhai Maganbhai Patel and (6) Parvatiben alias Pinaben d/o Maganbhai Mangubhai Patel. That, the legal heirs of Maganbhai Mangubhai Patel are also victims in the aforementioned complaint.

3. I say and submit that now, there is a compromise entered into between the parties on account of intervention of elderly people of both the parties. It is submitted that the parties have entered into a settlement and accordingly, the consent terms/deed of compromise was submitted duly signed by the petitioners and the deponents before the Learned 14th Add. District Judge, Surat in Regular Civil Appeal No. 18 of 2022, wherein the petitioners have consented to declare the sale deeds dated 30.04.2008 bearing

Registration No. 8402 in Book No. 1 of Sub-Registrar Surat- 4 (Katargam) be declared null and void and the deponents have returned the amount invested by the petitioner along with interest as per the terms of deed of compromise as well as the court decree dated 24.12.2021 (in Special Civil Suit No. 88 of 2011), and the Regular Appeal No. 18 of 2022 is pending to disposed of on 13.12.2025, being the date of National Lok Adalat."

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. I- 30 of 2010 registered with Chowk Bazaar Police Station, Surat is hereby quashed and set aside.

Rule is made absolute.

(M. R. MENGDEY,J)

SAKSHI MAURYA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SAKSHI MAURYA(HC02367), ENGLISH STENO GRADE-II, at High Court of Gujarat on 11/02/2026 15:07:39