**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/CRIMINAL MISC.APPLICATION (FOR CONSENT QUASHING) NO. 1086 of 2026**

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VANRAJBHAI MAHESHBHAI JALU & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:
NIKITA S BAROT(7417) for the Applicant(s) No. 1,2,3,4,5
MS ASMITA PATEL, LD.ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE VIMAL K. VYAS**

**Date : 16/02/2026**

**ORAL ORDER**

1. Amendment is allowed in terms of the draft. The same shall be carried out forthwith.

2. Learned advocate Mr.Yogesh Ratanpara appears and submits that he has instructions to appear on behalf of the respondent no.2 – original complainant. Registry shall accept his vakalatnama.

3. By way of preferring the present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicants- original accused seek to invoke the inherent powers of this Court, praying to quash and set-aside the First Information Report being C.R.No.11203037220147 of 2022 registered with the Manavadar Police Station, Junagadh, for the offences punishable under Sections 326, 323, 294(b), 506(2), 143,

148, 149, 427 of the Indian Penal Code and under Section 135 of the Gujarat Police Act as well as the proceedings of the Criminal Case No.918 of 2022 pending before the learned Judicial Magistrate, First Class, Manavadar, so also all other consequential proceedings arising pursuant thereto.

4. Today, when the matter is called out, the original complainant, who is personally present before this Court, has produced his identity proof as well as the affidavit, which are ordered to be taken on record. In the affidavit, the complainant has categorically stated that with the intervention of the friends, family members and community people, the dispute between him and the applicants-accused has been amicably resolved and there is no ill-will or any grievance amongst them. Therefore, he does not want to proceed further with the matter qua the present applicants.

5. Considering the issue involved in the present application as well as considering the fact that the dispute has been amicably resolved between the parties, with the consent of the learned advocates appearing for the respective parties, the present application is taken up for final disposal.

6. RULE returnable forthwith. Learned APP Ms.Asmita Patel waives service of notice of rule for and on behalf of the

respondent no.1 – State and learned advocate Mr.Yogesh Ratanpara waives service of notice of rule for and on behalf of the respondent no.2 – complainant.

7. Learned advocate for the applicants-accused has submitted that since the dispute has been amicably resolved between the parties, the application may be allowed and the impugned FIR as well as the proceedings of the criminal case may be quashed and set-aside.

8. The original complainant, who is present in the Court, has categorically stated before this Court that he has no objection if the application is allowed and the impugned FIR as well as the proceedings of the criminal case are quashed and set-aside. Thus, it appears from the aforesaid that sending the applicants-accused to face the trial would be nothing but a futile exercise and would amount to abuse of process of law.

9. The relevant paragraphs of the affidavit of the original complainant, read thus :

> *"1. I am the Respondent No. 2 in the captioned Petition. I am fully conversant with the facts and circumstances of the case and I am duly competent to file this affidavit.*
>
> *2. I have gone through the memo of Petition. Facts*

*stated in the memo of Petition are not disputed by me.*

*3. I say and submit that the disputes and grievances of both the sides have been amicably settled. Therefore, I do not wish to prosecute the petitioners any further with respect to the FIR bearing No. 11203037220147 dated 26.04.2022 lodged with Manavadar Police Station and all proceedings pursuant thereto including the Criminal Case No. 918 of 2022 pending before the Ld. Judicial Magistrate First Class, Manavadar.*

*4. I say that there were some mis-understanding between myself, my family members and the Accused Nos. 1 and 2 and due to the intervention of the well wishers, the said mis-understanding is now clear and the dispute between both the parties is resolved amicably. I say that I have settled the dispute with the Petitioners and I do not wish to go on with the complaint filed by me.*

*5. I say and submit that the said offence is committed by Petitioners is not a grievous offence. It arose only due to some misunderstanding between us. I say and submit that now the dispute has been settled between me and the Petitioners herein.*

*6. In the facts and circumstances as narrated above, I at my free will, wish and desire am stating on oath that I do not wish to prosecute the criminal proceedings against the petitioners as the dispute between us has been amicably settled. I state that the complaint filed by me being FIR bearing No. 11203037220147 dated 26.04.2022 lodged with*

*Manavadar Police Station and all proceedings pursuant thereto including the Criminal Case No. 918 of 2022 pending before the Ld. Judicial Magistrate First Class, Manavadar, may be quashed in the interest of justice."*

10. 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)** and **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 as well as 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 proceedings pursuant to the impugned FIR as well as 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 arising pursuant thereto are required to be quashed and set aside in exercise of the powers conferred under Section 528 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023.

11. In the result, the application is allowed. The First Information Report being C.R.No.11203037220147 of 2022 registered with the Manavadar Police Station, Junagadh, for the offences punishable under Sections 326, 323, 294(b), 506(2), 143, 148, 149, 427 of the Indian Penal Code and under Section 135 of the Gujarat Police Act as well as the proceedings of the Criminal Case No.918 of 2022 pending before the learned Judicial Magistrate, First Class, Manavadar, so also all other consequential proceedings arising pursuant thereto, are hereby ordered to be quashed and set-aside.

12. Rule made absolute. Direct service is permitted.

**(VIMAL K. VYAS, J)**

DIPTI PATEL

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: DIPTIBEN PIYUSH PATEL(HC00191), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 18/02/2026 18:27:18