IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR CONSENT QUASHING) NO. 12161 of 2026

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YANKI SIZZLER, A FIRM & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:
MR FAKHRUDDIN A JADALIWALA(12540) for the Applicant(s) No. 1,2
MR. ROHAN H. RAVAL, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR.JUSTICE P. M. RAVAL**

Date : 05/06/2026

ORAL ORDER

1. Learned advocate Mr. Hemil Dave states that he has instructions to appear on behalf of the respondent No. 2 herein – original complainant and shall file his Vakalatnama before the Registry. Registry to accept his Vakalatnama.

2. *Rule*. Learned Additional Public Prosecutor as well as learned advocate appearing for the original complainant waive service of notice of Rule on behalf of the respective respondents.

3. Considering the issue involved in the present application, with the consent of the learned advocates appearing for the respective parties as well as considering the fact that the dispute amongst the applicants and original complainant has been resolved amicably, this application is taken up for final disposal today as alleged offence is compoundable.

4. This application under Section 147 of the Negotiable Instruments Act read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) is filed seeking to quashing and setting aside the judgment and order of conviction passed in Criminal Case No.3275 of 2023 by 7th Additional Judicial Magistrate First Class, Gandhinagar, dated 18.02.2026, on the basis of settlement / consent.

5. Learned advocate for the applicants has taken this Court through the factual matrix arising out of the present application. However, it is submitted that the parties have amicably resolved the issue. It is further submitted that in view of the fact that the dispute is resolved, present application deserves consideration.

6. Learned advocate for original complainant has reiterated the contentions raised by the learned advocate for the applicants. Original complainant – Shailesh Ambalal Patel appeared before the Court. The complainant affirms the *factum* of settlement. He has also filed an affidavit at page No.52, stating therein that he has no objection if the judgment and order impugned in this application is quashed and set aside. He also states that he has filed the affidavit without any coercion, threat or undue influence, on his own volition. On inquiry made by the Court, the original complainant has declared before this Court that the dispute between the applicants and the original complainant is resolved and therefore, now the grievance

stands redressed. It is, therefore, submitted that the present application may be allowed.

7. Learned Additional Public Prosecutor appearing for the State has submitted that in the facts and circumstances of the case and in view of the extant law, Court may pass appropriate orders.

8. Considering the fact that the dispute is settled between the parties and said fact has been confirmed by the complainant, as the offence is compoundable one at any stage under Section 147 of the NI Act.

9. Resultantly, this revision application is allowed. The judgment and orders impugned in this application, referred to herein above, are hereby quashed and set aside. The applicants are acquitted of the present charge. Bail bond and surety, if any, shall stand discharged.

10. Rule is made absolute to the aforesaid extent. Direct service is permitted.

(P. M. RAVAL, J)

NITIN MAKWANA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NITIN INDRAVADAN MAKWANA(HCW0110), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 05/06/2026 14:18:30