IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR CONSENT QUASHING) NO. 12432 of 2026

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KRISHNA GOPAR PAWAR & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:
MR A A ZABUAWALA(6823) for the Applicant(s) No. 1,10,2,3,4,5,6,7,8,9
ROHAN RAVAL APP for the Respondent(s) No. 1

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

Date : 04/06/2026

ORAL ORDER

1. Learned Advocate Ms. N.S. Jethva has instructions to appear on behalf of the Original Complainant – Respondent No. 2 herein and shall file her Vakalatnama in due course. Registry to accept the same.

2. This application under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) is filed seeking to quash the FIR being C.R. No. 11205032260795 OF 2026, registered with Mundra Police Station, Kachchh-West-Bhuj for the offences punishable under Sections 316(4), 61(2) and 3(5) pf the BNS, 2023 on 24.05.2026.

2.1 Heard, the learned advocate for the applicants, learned advocate for the second respondent, who is the *de facto* complainant and the learned Additional Public Prosecutor for the respondent – State.

3. When the matter is taken up for hearing, the learned advocate for the applicants as well as the learned advocate for the second respondent - *de facto* complainant would submit that both the parties have entered into compromise and they have settled the dispute between them amicably and they have decided to compound the offence. The learned advocate for the applicants has also filed the affidavit of the second respondent - *de facto* complainant to this effect.

4. The *de facto* complainant **Harish Khimji Maheshwari** is physically present before the Court today. When questioned, he has unequivocally stated that he has entered into compromise with the accused and they have amicably settled the dispute and that, he has no objection to quash the FIR that is registered against the applicants.

5. Although, the offences for which the FIR was registered, are non-compoundable offences, as per the *dictum* laid down by the Apex Court in ***Gian Singh v. State of Punjab, (2012) 10 SCC 303***, in appropriate cases, where the offences have no impact on the society, the Court in exercise of its inherent powers under Section 528 of BNSS, can permit the parties to compound the offences even which are non-compoundable. Although, some cases are exempted which are catelogued in the said judgment of the Apex Court, the present case is not falling within the said exempted cases.

6. Therefore, permission is accorded to the applicants and the *de facto* complainant to compound the offence as prayed for and the compromise is recorded.

7. Resultantly, the application is allowed. The, FIR, referred to herein above, **and the proceedings, if any, pursuant thereto**, are hereby quashed against present the applicants.

(P. M. RAVAL, J)

MMP

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: MAHENDRA MOHANBHAI PUROHIT(HCD0074), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 04/06/2026 13:38:30