IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO. 7629 of 2026

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BUDHRAM KESHAVRAM BENIVAL & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR KUNAL S SHAH(5282) for the Applicant(s) No. 1,2,3,4
MR KM ANTANI, 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. Leave to amend. Necessary amendment to be carried out forthwith.

2. Learned advocate Mr.Tejas D. Shukla appears on behalf of the original complainant and victim and that he may be permitted to file his *vakalatnama*. Registry to accept the same.

3. This application under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) is filed seeking to quash the FIR being C.R. No.11210064260585 of 2026, registered with Godadara Police Station, Surat City for the offences punishable under Sections 309(3), 309(4), 309(6), 311, 140(2), 127(2), 115(2), 117(2), 351(3), 296(B), 54 and 3(5) of BNS and Sections 66(C), 66(D) and 66(E) of the IT Act.

4. Heard, the learned advocate for the applicant, learned advocate for the second respondent, who is the *de facto*

complainant and the learned Additional Public Prosecutor for the respondent – State.

5. When the matter is taken up for hearing, the learned advocate for the applicant 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 applicant has also filed the affidavit of the second respondent - *de facto* complainant to this effect.

5.1. Today, the victim and the original Complainant are present in the Court and they have tendered their affidavits, which are ordered to be taken on record.

6. The *de facto* complainant 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 applicant.

7. 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.

7.1. Prima facie, it transpires that this is a dispute between two parties with regard to missing goods in transport and has no larger bearing on public interest.

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

9. 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.

10. The applicants are ordered to be released if they are not required in connection with any other criminal offence.

(P. M. RAVAL, J)

KUMAR ALOK

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ALOK KUMAR(HC01091), PRIVATE SECRETARY, at High Court of Gujarat on 04/06/2026 15:08:02