IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE FIR/ORDER) NO. 22519 of 2026

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KONEN AASIF MOTORVALA (AUTHORISED SIGNATORY OF MOTARVALA FIREWOOD)

Versus

STATE OF GUJARAT & ANR.

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Appearance:
MR MOHDDANISH M BAREJIA(10612) for the Applicant(s) No. 1
MR. MAHAMMEDARBAJ. S. VAID(16933) for the Applicant(s) No. 1
MR PRANAV DHAGAT, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE M. R. MENGDEY**

Date : 23/10/2026

ORDER

1. Present Petition is preferred by the Petitioner (Original Accused) under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing and setting aside of impugned order dated 7.8.2026 passed in Criminal Case No.12484 of 2025 by learned 2nd Judicial Magistrate, Ahmedabad (Rural) for the offences punishable under Section 138 of the Negotiable Instruments Act.

2. Heard learned Advocate for the Petitioner and learned APP for the Respondent – State. Learned Advocate Mr.M.S.Shaikh appears and states that he has received instructions to appear on behalf of Respondent No.2 and he would be filing his appearance during the course of the day. Registry to accept the Vakalatnama.

3. Rule. Learned APP waives service of notice for and on behalf of the respondent – State and learned Advocate Mr.M.S.Shaikh waives service of Rule on behalf of the respondent No.2.

4. Learned Advocate for the Petitioner has submitted that the matter has been amicably settled between the parties and they are now not willing to

proceed with the complaint any further.

5. Leaned Advocate appearing on behalf of respondent No.2, has placed on record the Affidavit dated 18.9.2026. He submitted that matter has been amicably settled between the parties and there is no objection if present Petition is allowed.

6. Learned APP has opposed the present application.

7. The authorized representatives of the respondent No.2 namely Maheshkumar Ramsharanbhai Maurya (Authorized Signatory of R.B.S.G. Capital Private Limited) is present before the court who has been identified by learned advocate for the respondent No.2 and he has also filed an affidavit on record of the present petition indicating the settlement arrived at between the parties. It is stated in the affidavit that towards full and final settlement the complainant has received the amount of Rs.2,11,450/- from the applicant and respondent No.2 is not desirous of proceeding any further against the present applicant on the basis of the impugned complaint.

8. 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 impugned order dated 7.8.2026 passed in Criminal Case No.12484 of 2025 by learned 2nd Judicial Magistrate, Ahmedabad (Rural) and other consequential proceedings is hereby quashed and set aside qua the present Petitioner. Rule is made absolute.

Direct service is permitted.

(M. R. MENGDEY,J)

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Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMIN MANSI(HC01561), Private Secretary, at High Court of Gujarat on 23/10/2026 14:24:44