IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE FIR/ORDER) NO. 24966 of 2026

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ASHABEN HEMANTBHAI SHAH & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:
MR.MRUDUL M BAROT(3750) for the applicants(s) No. 1,2,3
MR PRANAV DHAGAT, APP for the Respondent(s) No. 1

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

Date : 21/10/2026
ORDER

1. Present Petition is preferred by the applicants under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No.11191014250013 of 2025 registered with Ellisbridge Police Station, Ahmedabad for the offences punishable under Section 54 of the BNS and Sections 3(2)(va) and 3(1)(r) of the SCST Act as well as all other consequential proceedings arising out of the said F.I.R..

2. Heard learned Advocate for the applicants and learned APP for the Respondent – State. Learned Advocate Mr. Dhruv J. Vantra appears and states that he has received instructions to appear on behalf of Respondent No.2 – Original Complainant and he would be filing his appearance before the Registry. Registry to accept the Vakalatnama.

3. Rule. Learned APP waives service of notice for and on behalf of the respondent – State and learned Advocate appearing for the respondent complainant waives service of Rule on behalf

of the Original Complainant.

4. Learned Advocate for the applicants 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. The complainant Bharatbhai Devsibhai Vaghera is present before the Court in-person, who has been identified by the learned advocate appearing for the complainant. He has produced an affidavit before the Court stating that the matter has been amicably settled between the parties.

6. Learned Advocate appearing on behalf of Original Complainant has placed on record the Affidavit dated 21.10.2026. He submitted that matter has been amicably settled between the parties and there is no objection if present Petition is allowed.

7. Learned Additional Public Prosecutor has opposed the present application inter-alia contending that the present application may not be allowed and the same should be dismissed.

8. In the affidavit dated 21.10.2026 produced by the complainant, the Para-5 reads thus:-

> *"I say and submit that thereafter, with the intervention of the members of the society and other persons, the disputes and differences between myself and the applicants have been amicably resolved. Accordingly, an understanding*

agreement dated 25.09.2026 has been entered into between myself, my wife and petitioner no.3 herein, being the owner of the concerned flat. As per the terms and conditions of the said understanding agreement, the petitioner no.3 has agreed to sell the concerned flat to me and pursuant thereto, I have agreed to withdraw and not pursue the criminal proceedings arising out of the aforesaid F.I.R. against all the applicants herein."

9. 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 FIR No.11191014250013 of 2025 registered with Ellisbridge Police Station, Ahmedabad for the offences punishable under Section 54 of the BNS and Sections 3(2)(va) and 3(1)(r) of the SCST Act as well as all other consequential proceedings arising out of the said F.I.R. are hereby quashed and set aside qua the present applicants. Rule is made absolute. If the applicants received any compensation against the registration of F.I.R. from the concerned authority, the same shall be returned within a period of four weeks from today. Direct service is permitted.

(M. R. MENGDEY,J)

NABILA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NABILABANU MOHAMADNOOR PATNIJAMAT(HC00630), Private Secretary, at High Court of Gujarat on 22/10/2026 12:23:15