IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO. 14920 of 2026

FOR APPROVAL AND SIGNATURE:

HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

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Approved for Reporting	Yes	No

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PRADEEP RATANLAL PAREEK (PRADEEP RATANLAL PAREKH)
Versus
STATE OF GUJARAT

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Appearance:
MR NIRAV C SANGHAVI(5950) for the Applicant(s) No. 1
MR. DHAWAN JAISWAL, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**

Date : 28/10/2026

JUDGMENT

1. Draft amendment stands allowed. Let the amendment be carried out forthwith.

2. The Petitioners have preferred the instant petition under Articles 14, 226 & 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, seeking the following reliefs:-

a) *That the Hon'ble court may be pleased to admit this petition.*

b) *That this Hon'ble court may be pleased to allow this petition by quashing and setting aside the F.I.R being CR. No. 11191025260600 of 2026 registered before kagdapith Police Station, Dist. Ahmedabad which is annexed as Annexure A and also be please*

to quash further proceedings arising out of the same qua petitioner in the interest of justice;

c) *Pending admission, hearing and till final disposal of this petition, this Hon'ble court may please to grant stay as to further proceedings of F.I.R being CR. No. 11191025260600 of 2026 before kagdapith Police Station, Dist. Ahmedabad which annexed as Annexure-A qua petitioner in the interest of justice;*

d) *Grant such other and further relief as deemed just and proper by this Hon'ble court in the interest of justice.*

3. Issue Rule to the respondents, returnable forthwith. Learned APP, Mr. Dhawan Jaiswal accepts and waives service of Rule on behalf of respondent No.1 - State. Learned advocate, Mr. V D Ruparel accepts and waives service of Rule on behalf of respondent No.2. He seeks time to file his Vakalatnama. Let the same be filed forthwith. Respondent No.2 – Mr. Ronak Dharmendrakumar Shah is present before this Court and he has been duly identified by his advocate.

4. Heard learned counsel for the parties.

5. Learned counsel for the petitioners submitted that the amount has now been paid to respondent No.2. As such, respondent No.2 has no grievance against the present petitioner. He submitted that the matter is amicably settled between the parties, i.e., petitioners and respondent No.2 – complainant. In such circumstances, he prayed that the FIR as well as all consequential proceedings arising therefrom qua the present petitioners be quashed and set aside. In support of his

contentions, he has relied upon the judgments of the Hon'ble Apex Court in the cases of ***Gian Singh Vs. State of Punjab & Anr.***, *reported in* ***(2012) 10 SCC 303***, ***Madan Mohan Abbot Vs. State of Punjab***, *reported in* ***(2008) 4 SCC 582***, ***Nikhil Merchant Vs. Central Bureau of Investigation & Anr.***, *reported in* ***2009 (1) GLH 31, Manoj Sharma Vs. State & Ors.***, *reported in* ***2009 (1) GLH 190*** *and* ***Narinder Singh & Ors. Vs. State of Punjab & Anr.*** *reported in* ***2014 (2) Crime 67 (SC)*** *as well as* ***State of Haryana Vs. Bhajanlal reported in AIR 1992 SC 604.***

6. In response, respondent No.2/original complainant appearing in person along with his counsel, has filed his affidavit. The same is taken on record. He submitted that the matter has now been amicably settled. In view thereof, he submitted that he has no objections if the impugned FIR as well as all consequential proceedings arising therefrom qua the present petitioners is quashed and set aside.

7. Per contra, learned APP appearing for respondent No.1 – State vehemently argued that serious allegations has been levelled against the petitioners herein, as such contended that the captioned petition is liable to be rejected.

8. Having considered the submissions of the learned counsels for the parties and having gone through the records, it appears that on the basis of the complaint preferred by respondent No.2 herein F.I.R being CR. No. 11191025260600 of 2026 was registered before kagdapith Police Station, Dist. Ahmedabad for the offenses punishable under Sections 316(2), 316(4) of BNS, 2023. However, now the matter has

been amicably settled between the petitioner and respondent No.2. Respondent No.2 – complainant has filed also filed his consent affidavit, thereby admitting the settlement. Para Nos.2 to 5 of the said affidavit reads thus:-

> *"2. I state that upon intervention of the friends from business circle and respected members of the association; it is decided to resolve the commercial dispute between us and it is mutually decided between us that the account is required to be settled for Rs.8,00,000 against all outstanding dues of the applicant as full and final settlement.*
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> *3. Therefore. I am filing the present affidavit in true spirits and further state that I do not have any objection and give consent for quashing and setting aside the FIR being CR. No. 11191025260600 of 2026 filed before kagdapith Police Station, Dist. ahmedabad against the applicant for the offence punishable under Sections 316(2), 316(4) of BNS, 2023 as per provision of the law. I further say and submit that the present dispute has arisen out of a purely commercial and business transaction between the parties. I state that all the outstanding dues and liabilities, which formed the subject matter of the present proceedings, have now been fully paid, satisfied and amicably settled between the parties to my complete satisfaction.*
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> *4. That I further consent to the placing/annexing copy of the present affidavit in the appropriate proceedings preferred before court of law.*
>
> *5. I state that I am competent to file the present affidavit and the same is not adhered by any*

force, fraud, coercion or any undue influence and infact the same is filed at my free will in true letters and spirits and I am also within the knowledge of the consequence of the present affidavit."

9. Thus, in view of the settlement affidavit and also taking into consideration the decisions rendered in the cases of ***Gian Singh (supra), Madan Mohan Abbot (supra), Nikhil Merchant (supra), Manoj Sharma (supra), Narinder Singh (supra)*** as well as ***Bhajanlal (supra),*** I am of the view that continuing further with the criminal proceedings in relation to the impugned FIR against the petitioners would be an unnecessary harassment to the petitioners. Further trial would be a futile exercise and continuing with the criminal proceedings pursuant to the impugned FIR and the Criminal Case would amount to abuse of process of law. Hence, to secure the ends of justice, the impugned FIR as well as the proceedings of the Criminal Case, and all other consequential proceedings arising therefrom are required to be quashed and set aside.

10. Thus, considering the overall submissions and the fact that the parties have amicably settled the dispute, present petition stands allowed. As such, the impugned F.I.R being CR. No. 11191025260600 of 2026, as well as all consequential proceedings arising therefrom qua the present petitioner is hereby quashed and set aside.

11. Direct service is permitted. Rule is made absolute accordingly.

(MOOL CHAND TYAGI, J)

ARUN

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ARUN B(HC02368), ENGLISH STENO GRADE-II\, at High Court of Gujarat on 30/10/2026 18:19:08