IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 15608 of 2026

FOR APPROVAL AND SIGNATURE:

HONOURABLE MR. JUSTICE J. C. DOSHI ***Sd/-***

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Approved for Reporting	Yes	No
		No

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RADHA FASHION (RIDHA FASHION) & ANR.
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR ROHIT H PESHVANI(13537) for the Applicant(s) No. 1,2
MR HARDIK MEHTA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE J. C. DOSHI**

Date : 30/10/2026

JUDGMENT

1. Learned advocate Ms. Kanan Odedra submits that she has instructions to appear for the respondent No.2 – original complainant and she shall file her *Vakalatnama* with the Registry.

2. The consent quashing petition seeks to quash the judgment and order dated 27.02.2026 passed in Criminal Case No. 18957 of 2020, whereby the learned 8th Additional Civil

Judge & JMFC, Surat convicted the petitioner under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as 'the NI Act') and directed the petitioner to undergo simple imprisonment of two months and to pay Rs.4,40,180/- as the double amount of cheque for the offence punishable under Section 138 of 'the Act', and in default thereof, directed to undergo simple imprisonment of one month.

3. Today, when the matter is taken up for hearing, learned advocate Ms. Kanan Odedra appearing for respondent No.2, tendered the affidavit on behalf of respondent No. 2, i.e. original complainant, which has been solemnized by Mr. Abhishek Unmed Jain, the Partner/POA of Trendsetter India, who is personally present before this Court, stating that the dispute has been amicably settled between them, he has also received the entire cheque amount from the petitioner, and therefore, he has no objection if the FIR and all consequential proceedings against the present petitioners is quashed and set aside.

4. Since the offence is compounded and the original complainant has received the amount due from the petitioner – accused, and when the original complainant does not intend to proceed further with the matter, I am of the considered opinion that the petition deserves consideration and requires to be allowed, and accordingly, it is ***allowed***.

5. In view thereof, the judgment and order dated 27.02.2026 recording the conviction of the petitioner and all consequential proceedings arising from that order is hereby

quashed and set aside, subject to payment of ***Rs.16,500/-*** as a compounding charge to be paid in the Gujarat State Legal Services Authority (GSLSA), within ***Three weeks*** from today and to place on record the copy of the receipt in the matter.

6. It is made clear that if the petitioner fails to deposit the aforesaid compounding charge within the time prescribed, the present judgment quashing the impugned judgment and order shall stand automatically recalled.

7. Accordingly, the petition stands disposed of in the aforesaid terms.

Sd/-
(J.C. DOSHI, J.)

Raj

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RAJ SUBHASH DHOBI(HC01779), Private Secretary, at High Court of Gujarat on 30/10/2026 15:54:37