IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC. APPLICATION (FOR QUASHING & SET ASIDE FIR/ORDER) NO.25825 of 2026

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NISARAHMEDBHAI ABDULRAHIMBHAI MOMIN HUSBAND OF THE COMPLAINANT & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:
A B PATEL(7467) for the Applicant(s) No. 1,2,3,4
KAMAL G VOHRA(8061) for the Applicant(s) No. 1,2,3,4
MR. TRUPESH KATHIRIYA, AP for the Respondent(s) No. 1

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

Date : 30/10/2026

ORDER

Draft amendment is granted. Amendment be carried out forthwith.

1. Learned Advocate Mr. Parth A. Patel appearing for the original complainant shall file his appearance before the Registry.

2. Present application is preferred by the applicants under Section 528 of the BNS, 2023 seeking quashing of FIR being CR. No.11193035260098 of 2026 dated 04.04.2026 registered with Liliya Police Station, Amreli for the offences punishable under the provisions of the BNS, 2023 as well as the other consequential proceedings.

3. Heard learned Advocate for the applicants and learned APP for the Respondent – State.

4. Rule. Learned APP waives service of notice for and on behalf of the respondent – State.

5. 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.

6. Learned APP has opposed the present application and submitted to dismiss the present application.

7. The complainant viz. Seminaben Mirza is present before the Court who has been identified by the learned Advocate Mr. Parth A. Patel appearing on her behalf. He has also filed an affidavit dated 29.10.2026 on record indicating that the matter has been amicably settled between the parties and there is no objection if present application is allowed. The said affidavit is ordered to be taken on record. It is further stated in the said affidavit as under: -

> "4. I state that me and all the Petitioners entered into the compromise on 02.10.2026, and pursuant to the said settlement, me and my husband resumed our matrimonial cohabitation from 02.10.2026 and have since been living together peacefully and happily.
>
> 5. I state that the settlement has been arrived at voluntarily, of my own free will and without any force, threat, coercion, undue influence or misrepresentation from any person.
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> 6. I state that in view of the amicable settlement, I do not wish to prosecute the impugned criminal proceedings any further and i have no subsisting grievance or complaint against the present Petitioners."

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 FIR being CR No. 11193035260098 of 2026 dated 04.04.2026 registered with Liliya Police Station, Amreli as well as the other consequential proceedings, is hereby quashed and set aside qua the present applicants. Rule is made absolute.

(M. R. MENGDEY,J)

RAVI OZA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RAVI OZA(HCW0111), ENGLISH STENOGRAPHER GRADE ONE, at High Court of Gujarat on 02/11/2026 10:25:46