IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (FOR CONSENT QUASHING) NO. 15780 of 2026

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NAZABALIKHAN @ RAIYANKHAN NAZARKHAN

Versus

STATE OF GUJARAT & ANR.

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Appearance:
MR. JARJEESKHAN(7235) for the Applicant(s) No. 1
MR UTKARSH SHARMA, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1

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

Date : 06/11/2026

JUDGMENT

Learned advocate Mr. UM Kharadi states at bar that he has instructions to appear for the respondent complainant and he shall file Vakalatnama in due course. Registry to accept the same.

Rule. Learned APP waives service of rule for the respondent State and learned advocate Mr. Kharadi waives for the complainant.

1. Considering the facts and circumstances of the case and since it is jointly stated at the bar by learned advocates on both the sides that the dispute between the parties has been resolved amicably, this matter is taken up for final disposal forthwith.

2. By way of this application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner haS prayed to quash and set aside the FIR being **C.R.No.11196017260601** registered with **Panigate Police Station** for the offences under Sections 64(1) and 351(2) of the BNS and all the consequential proceedings arising therefrom.

3. Learned advocates for both the parties state that in view of settlement entered into between both the parties, present FIR may be quashed, as the complainant do not wish to prosecute the FIR any further. Said settlement deed is taken on record. The complainant is present in the Court personally and states that she does not want to continue with the FIR and she has no objection if the FIR is quashed. The parents of the complainant i.e. Shamshad Ahmed Khan and Shagufta Khan are also present and they have no objection, if the impugned FIR is quashed. The complainant is identified by her advocate. She has categorically stated in the affidavit that she does not want to proceed further in the matter. Relevant paras of the affidavit reads as under:-

> *“2. I am the complainant in the aforementioned FIR, I and applicant who is uncle’s (mama) son fall in love with each other and it is family issue we already settled due to intervention of the our family relatives and elder of the family.*
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> *3. I and the applicant herein have amicably settled matter due to the intervention of the elderly persons and elderly people of the society we have already*

> *settle the issue now and I do not want to carry on this complaint any further against the present applicant and settlement, compromise arrived between both the parties without any force and pressure with my free will and wish.*
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> *4. In such circumstances, I have no objection if the FIR being 11196017260601 of 2026 dated 19.10.2026 for the offences punishable under Sections 64(1) and 351(2) of the BNS, 2023 have been added by the Panigate Police Station, Vadodara City, will quashed and set aside by this Honouirable Court. I do not have any problem as compromised arrived between both parties and it may be quashed and set aside qua the present applicant in the interest of justice."*

4. Having heard the learned advocates appearing for the respective parties and considering the facts and circumstances of the case, settlement affidavit as also taking into consideration the decisions rendered in **Gian Singh Vs. State of Punjab & Anr., (2012) 10 SCC 303; Madan Mohan Abbot Vs. State of Punjab, (2008) 4 SCC 582; Nikhil Merchant Vs. CBI & Anr., 2009 (1) GLH 31; Manoj Sharma Vs. State & Ors., 2009 (1) GLH 190; Narinder Singh & Ors. Vs. State of Punjab & Anr., (2014) 6 SCC 466; and State of Haryana Vs. Bhajan Lal, AIR 1992 SC 604**, in opinion of this Court, since parties have buried their dispute, the dispute which is already buried need not to be allowed to roll further. Hence, to secure the ends of justice, it would be appropriate to quash and set aside the impugned FIR and all consequential proceedings initiated in pursuance thereof under Section 528 of the BNSS.

5. In the result, the application is allowed. The impugned FIR being **C.R.No.11196017260601** registered with **Panigate Police Station, Vadodara** as well as all consequential proceedings initiated in pursuance thereof are hereby quashed and set aside qua the petitioner Nazabalikhan @ Raiyankhan Nazarkhan.

6. Since the petitioner accused is in jail, the concerned jail authority is directed to release the accused forthwith, if not required in any other case.

Direct service is permitted today.

(J. C. DOSHI,J)

SHEKHAR P. BARVE

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SHEKHAR PRAFULBHAI BARVE(HC00200), Principal Pvt. Secretary, at High Court of Gujarat on 06/11/2026 14:54:01