

(2022) 11 GUJ CK 0003
In the Gujarat High Court

Case No : R/Criminal Misc.Application No. 20042, 20122 Of 2022

Madhavi Ravinath Thakar & Ors

APPELLANT

Vs

State Of Gujarat & Anr

RESPONDENT

Date of Decision : 01-11-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 114, 294B, 323, 324, 354A, 392, 498A, 506(2)
Gujarat Police Act, 1951 — Section 135, 135(1)

Citation : (2022) 11 GUJ CK 0003

Hon'ble Judges : Sandeep N. Bhatt, J

Bench : Single Bench

Advocate : Virat G Popat, Dhawan Jayswal, Shweta S. Lodha, Hardik Soni

Final Decision : Allowed

Judgement

Sandeep N. Bhatt, J

1. Rule. Learned Additional Public Prosecutors, Ms. Shweta S. Lodha and Mr. Virat Popat, learned advocates waive service of notice of rule on behalf of the respective respondents.

2. Heard learned advocates for the respective parties. Learned advocates for respondent no.2 – Original Complainants are permitted to file their Vakalatnamas in the Registry.

3. With the consent of learned advocates for the respective parties, the present applications are taken up for final disposal today.

4. By way of the present applications under Section 482 of the Code of Criminal Procedure, 1973 (for short, the 'Code'), the applicants pray for quashing and setting aside the FIRs being :- (i) C.R. No.11191013220827 of 2022 and (ii) C.R. No.11191013220826 of 2022, both registered with the Krishnanagar Police Station, Ahmedabad for the offences punishable under Sections 498A, 354A, 324, 506(2) and 114 of IPC and U/s. 135 of Gujarat Police Act as well as

Sections 392, 324, 323, 294B, 506(2) and 114 of the IPC and Section 135(1) of the G.P. Act.

5. Learned advocate for the applicants have taken this Court through the factual matrix arising out of the present applications.

6. At the outset, it is submitted that the parties have amicably resolved the dispute. In support of such submission made at bar by the learned advocates appearing for the respective parties, they have placed on record affidavit/s of settlement of dispute duly signed by the complainant, copy of which is placed on record of the compilation.

7. Since now, the dispute with reference to the impugned FIRs is settled and resolved by and between parties which is confirmed by the original complainants through their learned advocates, the trial would be futile and any further continuation of proceedings would amount to abuse of process of law. Therefore, the impugned FIRs are required to be quashed and set aside.

8. Resultantly, both these applications are allowed. The impugned FIRs being (i) C.R. No.11191013220827 of 2022 and (ii) C.R. No.11191013220826 of 2022 registered with the Krishnanagar Police Station, Ahmedabad and all other consequential proceedings arising out of said FIRs are hereby quashed and set aside qua the applicants only.

9. Rule is made absolute to the aforesaid extent in both these applications. Direct service is permitted.