

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 6890 of 2019**

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GIRISH CHIMANLAL PATEL

Versus

STATE OF GUJARAT

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Appearance:

DEV D PATEL(8264) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MR PRANAV TRIVEDI, APP (2) for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE S.H.VORA****Date : 28/06/2019****ORAL ORDER**

1. Learned advocate Mr.Harsh Gajjar states that he has instructions to appear for respondent No.2 – complainant. He is permitted to file his Vakalatnama.

2. Rule. Learned A.P.P. Mr.Trivedi and learned advocate Mr.Gajjar waive service of Rule for respondent Nos.1 and 2 respectively.

3. With the consent of learned advocate for the applicant and learned advocate for respondent No.2 – original complainant, present application is taken up for final disposal today. The complainant is present before the Court along with his learned advocate.

4. By way of the present application under Section 482 of the Code of Criminal Procedure, 1973 (for short, the 'Code'), the applicant pray for quashing and setting aside the F.I.R. being C.R.No.I-61 of 2012 registered with Karanj Police Station for the offence punishable under Sections 406, 420, 465, 467,

468, 471, 120(B) and 114 of IPC.

5. Learned advocate for the applicant has taken this Court through the factual matrix arising out of the present application.

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 of settlement of dispute duly signed by the respondent No.2 – original complainant. The said affidavit is ordered to be taken on record.

7. Since now, the dispute with reference to the impugned F.I.R. is settled and resolved by and between parties which is confirmed by the original complainant through his learned advocate, the trial would be futile and any further continuation of proceedings would amount to abuse of process of law. Therefore, the impugned F.I.R. is required to be quashed and set aside.

8. Resultantly, this application is allowed. Impugned F.I.R. being C.R.No.I-61 of 2012 registered with Karanj Police Station is hereby quashed and set aside qua the applicant only. Rule is made absolute to the aforesaid extent. Direct service is permitted.

(S.H.VORA, J)

SATISH