

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 383 OF 2026
(@ SPECIAL LEAVE PETITION (CRIMINAL) NO. 8334 OF 2025)

ARIF AMIRMIYA PIRJADA

APPELLANT(S)

VERSUS

STATE OF GUJARAT & ANR.

RESPONDENT(S)

R1 STATE OF GUJARAT, THROUGH SHO KHAMBHOLIYA POLICE STATION
R2 MASHIRBHAI BHIKABHAI BHARVADIYA (CHOHAN) (POLICE HEAD CONSTABLE)

O R D E R

Heard learned counsel for the parties.

2. Leave granted.

3. The appellant is aggrieved by the order dated 05.03.2025 passed by the High Court of Gujarat at Ahmedabad, in R/Criminal Miscellaneous Application No. 18765 of 2019, by which, the petition filed by the appellant herein seeking quashing of the FIR No. III/594/2019, dated 29.08.2019, registered at Khambhaliya Police Station, Devbhumi Dwarka, Gujarat, for the offences under Sections 65(E), 98(2), 81 and 83 of the Prohibition Act was dismissed.

4. Learned counsel for the appellant submits that as per the FIR, there were 10 accused persons and with regard to one co-accused, who was identically situated like the

appellant, the High Court has quashed the proceedings, whereas in the present case, it was refused. It was further contended that later on 6 other co-accused have also been acquitted after full trial. It was contended that the appellant has also not been named in the FIR.

5. Learned counsel for the State fairly stated that what has been contended by learned counsel for the appellant is factually correct and further that he was not named in the FIR.

6. Having regard to the aforesaid, we find that putting the appellant to go through the rigors of trial would be futile and an abuse of the process of the Court.

7. Accordingly, for the reasons aforesaid, the appeal is allowed. The FIR No.III-594/2019, dated 29.08.2019, registered with Khambhaliya Police Station, Devbhumi Dwarka, Gujarat, stands quashed *qua* the appellant herein.

8. Pending application(s), if any, shall stand disposed of.

.....J.
(AHSANUDDIN AMANULLAH)

.....J.
(R. MAHADEVAN)

NEW DELHI
JANUARY 21, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 8334/2025

[Arising out of impugned final judgment and order dated 05-03-2025 in CRMA No. 18765/2019 passed by the High Court of Gujarat at Ahmedabad]

ARIF AMIRMIYA PIRJADA

PETITIONER(S)

VERSUS

STATE OF GUJARAT & ANR.

RESPONDENT(S)

(IA No. 126391/2025 - CONDONATION OF DELAY IN FILING, IA No. 126392/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 126393/2025 - EXEMPTION FROM FILING O.T.)

Date : 21-01-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :

Mr. Noor Shergill, Adv.
Ms. Anuja Pethia, AOR
Mr. Rishabh Nigam, Adv.
Mr. Rishabh Govila, Adv.
Ms. Kshirja Agarwal, Adv.

For Respondent(s) :

Ms. Swati Ghildiyal, AOR
Mr. Nimesh Bhatt, Adv.

O R D E R

Leave granted.

2. The appeal is allowed in terms of the signed order,
which is placed on the file.

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR