



2026 INSC 879

Non-Reportable

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

**Criminal Appeal No.3893 of 2026
(@ Special Leave Petition (Crl) No.18609 of 2025)**

Ilaben

....Appellant

Versus

The State of Gujarat and Anr.

....Respondents

ORDER

Leave granted.

2. The appellant by an application under Section 482 of the Code of Criminal Procedure, 1973 (Cr. PC) sought for quashing of the criminal proceedings initiated by the second respondent against her. The allegation of the second respondent was that the appellant's son promised to marry her and the appellant too connived actively, with her son, with the promise of marriage, based on which her son obtained sexual favours from the second respondent and also appropriated large amounts by the sale of a car owned by the second respondent.

3. We heard Mr. Neeraj Kumar Gupta, learned AoR appearing for the appellant, Ms. Swati Ghildiyal, learned AoR appearing for the respondent State and Mr. Sidharth Mittal,

learned AoR on behalf of the 2nd respondent, who was appointed as an Amicus Curiae by order dated 27.02.2026, to represent the 2nd respondent.

4. A reading of the First Information Statement (FIS), Annexure P4, FIR No.11188009240223 of 2024 registered at Modasa Town Police Station, District Aravalli dated 19.04.2024 indicates the second respondent having had a consensual relationship with the appellant's son. The FIS has been interjected with allegations of her association with the appellant's son and the physical relationship forced on her, on the promise of marriage. The FIS at one-point states that while they were travelling together, once the appellant's son had alighted from the car near a Court, to attend a proceeding, upon which the second respondent is said to have rejected the proposal for marriage. Again, the proposal was agreed to, only on the appellant's son promising to turn a new leaf and reform himself, which obviously he did not.

5. A reading of the FIS does not compel us to find any of the allegations giving rise to any criminal culpability. Accusations are made blandly without any substantiation and the

chargesheet seems to be running to almost more than 200 pages, as is revealed from Annexure P5.

6. We have also gone through Annexure P1, translated copies of the chats between the second respondent and the appellant's son; produced by the appellant herself, which itself speaks volumes regarding the behavior of the second respondent. We would not say anything more and suffice it to observe that the entire allegations, according to us, inspires no confidence. While allegation of promise to marry is raised, it is pertinent to notice that the statement of the father of the second respondent itself, as available in the chargesheet indicates that the second respondent was married and estranged from her husband. There is nothing stated as to a divorce having been obtained, in which case the allegation of second respondent having been led by a promise of marriage cannot at all be believed.

7. Be that as it may, the appellant who is the mother of the person against whom the second respondent makes allegations cannot definitely be roped in. We find absolutely no reason to continue the proceedings in Special (Atro) Case No.14 of 2024

pending before the Special Court, Modasa arising from chargesheet No.34/2024 dated 18.06.2024 pursuant to FIR No.11188009240223 of 2024 registered at Modasa Town Police Station, District Aravalli dated 19.04.2024. The criminal proceedings shall stand quashed as against the appellant. If the accused is in prison, she shall be released forthwith and if she is on bail, her bail bonds shall stand cancelled.

8. The appeal is allowed.

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

..... J.
(J.B. PARDIWALA)

..... J.
(K. VINOD CHANDRAN)

**NEW DELHI;
AUGUST 17, 2026.**