

(2025) 11 GUJ CK 1918
In the Gujarat High Court

Case No : R/Criminal Misc.Application (For Regular Bail - After Chargesheet) No. 21380 Of 2024, R/Criminal Misc.Application No. 21383 Of 2024

Ashish Navalkumar Sureka

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 26-11-2025

Acts Referred:

Citation : (2025) 11 GUJ CK 1918

Hon'ble Judges : Nikhil S. Kariel,J

Bench : Single Bench

Advocate : Yash N Nanavaty, Shweta Lodha, Virat G Popat, LB Dabhi

Final Decision : Dismissed

Judgement

Nikhil S. Kariel, J

1. Heard learned advocate Mr. Yash Nanavaty for the applicant, learned APP Mr. L.B. Dabhi for the respondent State and learned advocate Ms. Shweta Lodha for learned advocate Mr. Virat Popat for the complainant.

2. At the outset, it requires to be observed that vide an order dated 20.11.2025, this Court had directed the DCP, Zone 6, to remain present before this Court today, more particularly noting that the Investigating Officer had not reported twice.

3. Today, learned APP has tendered a report submitted by DCP concerned, Dr. Karanraj Vaghela, more particularly stating that since the fax message, which has been sent by the office of the Public Prosecutor had reached the concerned police station late in night and whereas the investigation having been transferred to the Economic Offences Cell, therefore, due to the communication gap, the Investigating Officer could not remain present. The steps taken by the present Investigating Officer to apprehend the present applicant have also been described.

4. It would appear in this regard that originally vide an order dated 10.01.2025, a learned Coordinate Bench of this Court had inter alia directed enlargement of the present applicant on regular bail noting that the applicant was ready and willing to deposit an amount of Rs.50 Lakhs within a period of six months from the date of his release. It would appear that the applicant had approached the Hon'ble Apex Court challenging the very order on the ground, more particularly questioning the direction of depositing a sum of Rs.50 Lakhs within a period of six months and whereas the Hon'ble Apex Court had been pleased not accede to such a request and had set aside the order passed by learned Coordinate Bench of this Court dated 10.01.2025 and had remanded the matter back to this Court for deciding the same expeditiously and whereas the applicant – appellant before the Hon'ble Apex Court was directed to surrender within a period of 10 days from the date of the order of the Hon'ble Apex Court dated 22.07.2025.

5. It would appear that the applicant had, thereafter not surrendered and whereas it is informed by learned advocate Mr. Nanavaty that the learned Coordinate Bench upon request of the said learned advocate on the ground that the learned advocate did not have any instructions as regards the surrender, had issued notice to the applicant vide order dated 25.08.2025 and whereas the said notice has not yet been served upon the applicant. Learned advocate Mr. Nanavaty would submit that he does not have any instructions to appear on behalf applicant post the remand by a direction of the Hon'ble Supreme Court.

6. Considering such a situation, since the applicant has defied order of the Hon'be Apex Court by not surrendering within a period of 10 days and whereas since there is no representation on his behalf, it would appear that nothing further is required to be done by this Court except dismissing the present application. Ordered accordingly.

The presence of DCP concerned is dispensed with.