

(2025) 12 GUJ CK 1823
In the Gujarat High Court

Case No : R/Criminal Misc.Application (For Regular Bail - After Chargesheet) No. 22739 Of 2025

Dimple @ Dimple Ravindra Gaekwad (Kohli)

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 08-12-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483
Indian Penal Code, 1860 — Section 120(B), 420, 465, 467, 468, 471
Immigration Act, 1983 — Section 24, 25

Citation : (2025) 12 GUJ CK 1823

Hon'ble Judges : Nikhil S. Kariel, J

Bench : Single Bench

Advocate : Niyati K Juthani, Trupesh Kathiriya,

Final Decision : Allowed

Judgement

Nikhil S. Kariel, J

1. Heard learned advocate Mr.Jeet Patel for learned advocate Ms.Niyati Juthani appearing on behalf of the applicant and learned Additional Public Prosecutor Mr.Trupesh Kathiriya appearing on behalf of the respondent-State.

2. The applicant has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail in connection with FIR being C.R. No.11201002240008/2024 registered with CID Crime Police Station, Ahmedabad for the offence punishable under Sections 420, 465, 467, 468, 471, 120(B) of the IPC and Sections 24, 25 of the Immigration Act, 1983.

3. It would appear in this regard that originally vide an order dated 03.10.2024, the applicant had been directed to be enlarged on regular bail by learned Sessions Court, more particularly, upon the applicant depositing the amount of Rs.15,00,000/- before the learned Trial Court and whereas, it would appear that

the applicant not being in a position more particularly since it was her case that she was liable to pay only a very minuscule part of the amount in question, had approached the learned Sessions Court with a revision application for modification of condition, which came to be rejected and whereas, the said order had been challenged before this Court and whereas, ultimately, vide order dated 08.08.2025, a learned Coordinate Bench of this Court relying upon observations of the Hon'ble Apex Court in case of Gajanan Dattatray Gore vs. The State of Maharashtra & Anr. in Criminal Appeal No.3219/2025 dated 28.07.2025 had permitted the applicant to file a fresh application before the Sessions Court and whereas, the learned Sessions Court was directed to consider the same without any regard to the pursis filed on behalf of the applicant i.e. with regard to depositing the amount.

3.1. It is in this connection that the applicant had approached the learned Sessions Court once again and vide the order impugned dated 09.09.2025, learned Sessions Court had rejected the said application, aggrieved by which, the applicant has approached this Court.

4. Learned advocate for the applicant would submit that considering the role attributed to the applicant, and nature of the allegation levelled, the applicant may be enlarged on regular bail. It is further submitted that since the charge-sheet is filed no useful purpose would be served by keeping the applicant in jail for indefinite period. It is further contended that the applicant is ready and willing to abide by all the conditions that may be imposed by this Court if released on bail.

5. As against the same, learned Additional Public Prosecutor appearing for the respondent – State has vehemently objected to the grant of regular bail. Learned APP has submitted that looking to the nature of offence and the role attributed to the present applicant as coming out from the charge-sheet, this Court may not exercise the discretion in favour of the applicant and the application may be dismissed.

6. Having regard to the fact that the applicant has prayed for grant of regular bail, learned Advocates appearing on behalf of the respective parties do not press for further reasoned order.

7. I have heard learned advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

i. The allegation against the applicant is of having received money for the purpose of getting UK Visa and whereas, it would appear that the applicant having pocketed the money, had not ensured that the visa is issued to the persons making the payment.

ii. The case of the applicant being that she had forwarded the money to the main consultant and whereas, the applicant not receiving any communication therefrom, the applicant could not take any steps ensuring the visa in favour of

the persons.

iii. The fact of the allegation being for the offence punishable under Sections 420, 465, 467, 468, 471 etc. of the IPC and the applicant being in custody since 10.06.2024 more particularly the investigation having been completed and the charge-sheet having been laid.

iv. This Court has also considered the fact that the applicant is a middle aged lady accused.

This Court has taken into consideration the law laid down by the Hon'ble Apex Court in the case of Sanjay Chandra v. Central Bureau of Investigation reported in [2012] 1 SCC 40.

8. In the facts and circumstances of the case and considering the nature of the allegations made against in the First Information Report, without discussing the evidence in detail, prima facie, this Court is of the opinion that this is a fit case to exercise the discretion and enlarge the applicant on regular bail.

9. Hence, the present application is allowed. The applicant is ordered to be released on bail in connection with F.I.R. registered as C.R. No.11201002240008/2024 registered with CID Crime Police Station, Ahmedabad, on executing a bond of Rs.10,000/- (Rupees Ten Thousand only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that she shall;

[a] not take undue advantage of liberty or misuse liberty;

[b] not act in a manner injurious to the interest of the prosecution;

[c] surrender passport, if any, to the lower court within a week;

[d] not leave the State of Gujarat without prior permission of the Sessions Court concerned;

[e] furnish the proposed address of residence to the I.O. and also to the Court at the time of execution of the bond and shall not change the residence without prior intimation to the I.O.;

[f] mark presence once a month for a period of six months before the concerned police station.

10. The Authorities will release the applicant only if she is not required in connection with any other offence for the time being. If breach of any of the above conditions is committed, the Sessions Court concerned will be free to take appropriate action in the matter.

11. Bail bond to be executed before the lower court having jurisdiction to try the case. It will be open for the concerned Court to delete, modify and/or relax any of the above conditions in accordance with law.

12. At the stage of trial, the trial court shall not be influenced by any observations of this Court which are of preliminary nature made at this stage, only for the purpose of considering the application of the applicant for being released on regular bail.

13. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.