

(2025) 11 GUJ CK 1942
In the Gujarat High Court

Case No : R/Criminal Misc.Application (For Regular Bail - Before Chargesheet)
No. 22755 Of 2025

Ranjit @ Rano Gambhirbhai Dangar

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 06-11-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483
Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 126(2), 127(2), 127(7), 140(2),
189(2), 191(2), 308(5), 351, 352
Gujarat Police Act, 1951 — Section 135

Citation : (2025) 11 GUJ CK 1942

Hon'ble Judges : Nikhil S. Kariel, J

Bench : Single Bench

Advocate : A R Shah, L B Dabahi

Final Decision : Allowed

Judgement

Nikhil S. Kariel, J

1. Heard learned Advocate Mr.A. R. Shah for the applicant and learned APP Mr. L.B. Dabhi for the respondent-State.

2. Rule. Learned APP waives service of rule on behalf of the respondent-State.

3. 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. 11189008251119 of 2025 registered with Wakaner Taluka Police Station, District Morbi for the offence punishable under Sections 126(2), 127(2), 127(7), 140(2), 308(5), 115(2), 352, 351, 189(2) and 191(2) of the Bhartiya Nyay Sanhita and Section 135 of the Gujarat Police Act.

4. Learned Advocate Mr. Shah for the applicant would submit that the applicant has been wrongly named in the FIR and whereas it is also submitted the offences alleged are also not serious. Learned Advocate would also rely upon order dated

15.10.2025 in Criminal Misc. Application No. 21644 of 2025 passed by learned Co-ordinate Bench of this Court, whereby accused No.2 i.e. father of the main accused had been released on regular bail. Learned Advocate having regard to the above circumstances, would request this Court to release the present applicant on regular bail.

5. As against the same, learned Additional Public Prosecutor Mr. Dabhi appearing for the respondent – State would vehemently oppose the present application, submitting that the FIR clearly narrates the name of the present applicant as well as role attributed to the applicant. Learned APP would further submit that the passport of the victim as well as debit card of the victim had been recovered from the present applicant, and hence his role is clearly established. Thus submitting learned APP would request this Court not to release the present applicant on regular bail.

6. Considering the submissions made by learned Advocate for the applicant, it would appear that the role attributed to the applicant was of being part of an unlawful assembly, which had allegedly obstructed the victim and his friends and also assaulted the victim and his friends, more particularly with regard to recovery of some amount, which the accused No. 1 had given to a friend of the main accused. It would also appear that the allegation against the present applicant is of having threatened the victim and also of having assaulted the victim with regard to recovery concerned.

7. 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.

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

(i) The FIR having been registered approximately after two day after the date of the incident, more particularly their being no prima facie satisfactory explanation with regard to the delay.

(ii) The fact that the father of the main accused, who was also present at the site, having been released on regular bail by the learned Co-ordinate Bench.

(iii) The fact that the applicant has no antecedent.

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.

9. 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.

10. 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. 11189008251119 of 2025 registered with Wakaner Taluka Police Station, District Morbi, on executing a bond of Rs.25,000/- (Rupees Twenty Five Thousands only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that he 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 Judge concerned;

[e] Mark presence at the concerned Police Station once in a week till charge-sheet is filed and thereafter once in a month for a period of six months, between 11:00 a.m. to 2:00 p.m.

[f] furnish the present 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 residential address without prior permission of the Sessions Court;

11. The Authorities will release the applicant only if he 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 Judge concerned will be free to take appropriate action in the matter.

12. 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.

13. 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.

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