

(2025) 12 GUJ CK 1814
In the Gujarat High Court

Case No : R/Criminal Misc.Application (For Anticipatory Bail) No. 25159 Of 2025

Satishkumar Nyalchand Shah

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 09-12-2025

Acts Referred:

Citation : (2025) 12 GUJ CK 1814

Hon'ble Judges : Utkarsh Thakorbhai Desai, J

Bench : Single Bench

Advocate : Daifraz Havewalla, Jirga Javeri

Final Decision : Disposed Of

Judgement

Utkarsh Thakorbhai Desai, J

1. Learned advocate for the applicant under instructions states that, the applicant is ready and willing to join the investigation, and will appear before the investigating officer on 16.12.2025.

2. Learned APP Ms. Jirga Javeri places on record the report of the Investigating Officer and submits that, as on today the FIR has not been registered. The Investigating Officer however, is in process to get the FIR registered by following due procedure as per the guidelines of the Commissioner of Police, Surat City.

3. Having considered the submissions and the documents produced on record, the Investigating Officer is directed to scrupulously follow the proposition of law as settled by the Hon'ble Supreme Court in the case of Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273, in case of Satender Kumar Antil Vs. Central Bureau of Investigation & Anr., reported in (2022) 10 SCC 51 and in case of Md. Asfak Alam Vs. State of Jharkhand & Anr., reported in 2023 SCC OnLine SC 892 and also inform about the grounds of arrest, if needed, to learned Magistrate and even the learned Magistrate before mechanically authorizing the detention of the applicant shall follow the dictum of the Hon'ble Supreme Court

in the aforesaid decisions.

4. Considering the said aspect and the fact that the applicant has already remained present before the Investigating Officer as and when called for, it deems fit to this Court to direct the Investigating Officer to give a 7 days prior notice to the applicant upon registration of the FIR.

5. In view of the above, the present application stands disposed of. Direct service is permitted.