IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - BEFORE CHARGESHEET) NO. 27257 of 2026

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NARAYNDAS BHUGDOMAL AYALDAS CHELANI

Versus

STATE OF GUJARAT

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Appearance:
JAYDEEP H SINDHI(9585) for the Applicant(s) No. 1
MR. DEEPAK R SHAMNANI(14600) for the Applicant(s) No. 1
MR ROHAN H. RAVAL, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR.JUSTICE D.N.RAY**

Date : 18/11/2026

ORAL ORDER

1) **RULE.** Learned APP waives service of rule for the respondent-State.

2) The present application is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") for regular bail in connection with FIR being **C.R. No.11191011260328 of 2026 registered with DCB Police Station, Ahmedabad City,** for the offence under Sections 316(2), 316(5), 61 of the Bharatiya Nyaya Sanhita.

3) Learned advocate appearing on behalf of the applicant submits that applicant is innocent and has been falsely implicated in the offence. Substantial part of investigation is over. He therefore submits that, considering the nature of the offence, the applicant may be enlarged on regular bail by imposing suitable conditions.

4) Learned APP appearing on behalf of the respondent-State has opposed the present application and submitted that, the applicant is involved in serious offence and has played active role in the commission of the present offence. Considering the conduct of the applicant, application does not deserve any consideration.

5) While granting bail, the Court has to consider the involvement of

the accused in the alleged offence, the jurisdiction to grant bail has to be exercised on the basis of the well settled principles having regard to the facts and circumstances of each case and the following factors are to be taken into consideration while considering an application for bail: (i) the nature of accusation and the severity of the punishment and the nature of the materials relied upon by the prosecution; (ii) reasonable apprehension of tampering with the witnesses and threat to the complainant or the witnesses; (iii) reasonable possibility of securing the presence of the accused at the time of trial or the likelihood of his abscondence; (iv) character behaviour and standing of the accused and the circumstances which are peculiar to the accused; (v) larger interest of the public or the State and similar other considerations are required to be considered.

6) I have heard the learned advocates appearing on behalf of the respective parties and perused the investigation papers. Following aspects have been considered:

(1) Applicant is behind the bar since 23.10.2026;

(2) Upon perusal of the FIR, on record, it has come on record that the entire transaction which is in cash and shockingly to the amount of Rs.93 lakhs and odd in the present FIR is between the informant and the son of the present applicant, there is no allegation much less, proof of payment of any of the sum advanced to the present applicant. Upon a pointed query by the Court, learned APP submits that the son of the applicant is staying with the applicant and they run a business together for more than twenty years.

(3) I am however of the opinion, considering the fact that the entire allegation of paying the amount of cash is only to the son of the present applicant, such a liability particularly of criminal nature, cannot be foisted upon the present

applicant. In view of the fact that the present applicant is aged about 66 years and the applicant's son is also arrested on 23.10.2026;

(4) Substantial part of investigation is over;

(5) There is nothing to be recovered or discovered from the applicant;

(6) Offence is triable by the Court of Magistrate;

(7) Obviously commencement and conclusion of trial will take some time.

7) In the facts and circumstances of the case and considering the nature of the allegations made against the applicant in the FIR, 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. Hence, the present application is allowed. The applicant is ordered to be released on regular bail in connection with FIR being **C.R. No.11191011260328 of 2026 registered with DCB Police Station, Ahmedabad City,** on executing a personal bond of Rs.25,000/- (Rupees Twenty-five Thousand only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that he ;

(a) shall not take undue advantage of liberty or misuse liberty;

(b) shall not act in a manner injurious to the interest of the prosecution & shall not obstruct or hamper the police investigation and shall not to play mischief with the evidence collected or yet to be collected by the police;

(c) shall surrender passport, if any, to the Trial Court within a week;

(d) shall not leave the territory of the State of Gujarat without prior permission of the Trial Court concerned;

(e) shall not enter the Taluka and District Ahmedabad before filing of the charge-sheet except for marking presence

before the concerned police station and/or for attending Court;

(f) shall mark presence before the concerned Police Station once in a week till filing of the chargesheet and after filing of the chargesheet, mark presence before the concerned police station once in a month for a period of six months;

(g) shall furnish the **copy of Aadhar card, email ID / permanent and present address of his residence** to the Investigating Officer and also to the Court at the time of execution of the bond and shall not change his **residence, contact number / SIM Card** without prior permission of Trial Court;

(h) if the applicant is found to be indulged in any illegal activities in future, the trial Court concerned will be free to issue warrant and cancel the bail granted to the applicant.

8) 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 issue warrant or take appropriate action in the matter.

9) 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.

10) At the trial, the trial Court shall not be influenced by the observations of preliminary nature qua the evidence at this stage made by this Court while enlarging the applicant on bail.

11) Rule is made absolute to the aforesaid extent. Direct service is permitted.

(D.N.RAY,J)

URIL RANA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RANA URIL K(HC01406), PRIVATE SECRETARY, at High Court of Gujarat on 18/11/2026 16:43:58