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**IN THE COURT OF
PRINCIPAL DISTRICT & SESSIONS JUDGE
AHMEDABAD (RURAL) @ AHMEDABAD.**

Criminal Misc. Application No. 660 of 2026

APPLICANT/ACCUSED

Chehor @ Tiger Lilabhai Desai

Age: 28 yrs, occup: Business

R/o House No.884, Moto Thakorvas,

Opp. Ramesh Corporation,

Kochrab village,

Paldi, Ahmedabad .

At present in Sabarmati Jail.

VERSUS

सत्यमेव जयते

OPPONENT

The State of Gujarat,

Notice to be served through

Public Prosecutor,

District & Sessions Court,

Ahmedabad (Rural) .

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Application for regular bail u/s 483 of BNSS, 2023.
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APPEARANCE:

Ld. Adv. Mr.V.P. Barot for the applicant.

Ld. P.P., Mr. P.M. Trivedi for the Opponent-State

Ld. Adv. Mr. U.A. Mansuri, for original complainant.

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J U D G M E N T

1. The present application is preferred by applicant u/s.483 of The Bhartiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred as 'BNSS') in connection offence registered with **Vastrapur Police Station** vide Part-A C.R.No. 11191020260047/2026 for the offence punishable u/s. 109(1), 115(2), 117(2), 118(1), 118(2), 189(2), 191(2), 191(3), 190 of The Bharatiya Nyaya Sanhita (hereinafter referred as 'BNS') and Sec.135(1) of G.P. Act **seeking regular bail before chargesheet.**

2. Ld. Advocate Mr.V.P. Barot for the applicant/accused submits that, the applicant is innocent and has not committed any offence as alleged in the FIR. Applicant has not played any direct or indirect role in the alleged offence. Applicant is falsely implicated in the offence. Applicant is not named in the FIR and no identity/description of the applicant is made in FIR. No specific role has been alleged against the applicant in the FIR. Injured complainant and Kirpalsingh are discharged and are out of danger. Recovery or discovery in the said offence is over and there is nothing to be recovered or discovered from the applicant/accused.

2.1 It is submitted that the applicant is not likely to hamper or tamper with the prosecution evidence. It is submitted that applicant is of 28 years of age and is breadwinner of his family. The applicant is permanent resident of the address shown in the cause title. Applicant is not likely to abscond and will be available for trial. The applicant will abide by any stringent condition that may be imposed upon them while exercising

discretion in favour of the applicant. It is accordingly urged to allow present application.

3. Ld. Public Prosecutor Mr.P.M.Trivedi appearing on behalf of the Opponent - State opposed the grant of bail to the present applicant. He submits that the applicant is charged for the offence under u/s. 109(1), 115(2), 117(2), 118(1), 118(2), 189(2), 191(2), 191(3), 190 of 'BNS' and Sec.135(1) of G.P. Act. He submits that as per the prosecution case, accused Paresh Rabari, Lalo Rabari, Montu Rabari, Sunil Rabari and other 10 to 15 person keeping grudge of settlement made in Sarkhej Police Station for the earlier incident, on 14/2/2026 at around 2.00 a.m. at Shakti Square Complex, Vastrapur Talav, forming unlawful assembly, armed with weapons like Knife, Stick, Pipe arrived at the spot in Creta and Swift Cars and two wheelers like Pulsar and Activa and Paresh Rabari inflicted knife blow on the rear portion of right shoulder of the complainant and two other persons caused injury on his legs through sticks, Paresh Rabari also caused knife blow injury on the shoulder of Kripalsinh, cousin brother of the complainant, while other persons caused injury on left eye and other parts of his body by sticks and pipe and caused fracture on left leg and fled the spot after committing the offence.

3.1 Applicant/accused was also member of unlawful assembly and had inflicted kick and fist blow to complainant and witness Kripalsinh. Investigation is going on and co-accused persons are yet to be arrested, therefore, if the applicant is enlarged on bail then applicant is likely to tamper the evidence and influence

and/or coerce the witnesses of the case. Ld. Public Prosecutor has placed reliance on affidavit filed by the Investigating Officer (Exh.5) and has urged to reject the bail application.

3.2 Original complainant has filed written objections vide Exh.8 and strongly objected the bail application. It is stated that there is prima-facie case against the applicant/accused. Applicant/accused is headstrong persons. It is stated that if granted bail the applicant/accused is likely to hamper or tamper with the prosecution evidence and urged to reject the bail application.

4. Heard learned Advocates for respective parties. The Court has gone through the bail application and annexure attached to it, affidavit of the I.O. and the case papers. It is clarified that the observations made by this Court is tentative in nature and is confined for deciding this bail application and it will has no relevance during the trial. Following circumstances are taken into consideration for deciding this bail application:-

- i. The applicant is charged for the offence punishable u/s. 109(1), 115(2), 117(2), 118(1), 118(2), 189(2), 191(2), 191(3), 190 of 'BNS' and Sec.135(1) of G.P. Act.
- ii. As per the prosecution case, the complainant had entered into settlement with accused Paresh Rabari in Sarkej Police Station with regard to incident dated 13/2/2026 and keeping this grudge on 14/2/2026 the accused persons went at the office of complainant (at Shakti Square Complex, Vastrapur Talav) with weapons and had beaten the complainant and witness

Kripalsingh with pipe, sword and knife and thereby, FIR came to be registered against the accused persons.

- iii. The applicant is not named in the FIR. It prima-facie reveals from the case papers and affidavit of the I.O. that applicant had no weapon. Applicant/accused is attributed role of beating the complainant and witness with kick and fist blow. The applicant is not attributed role of causing injury with knife to the complainant or witness. The injured persons are stated to have been discharged from the hospital on 18/2/2026.
- iv. Having gone through the injury certificate and the role attributed to the applicant/accused a case for bail is made out.
- v. Apprehension of the prosecution and original complainant that if granted bail, there is possibility of repetition of similar offence can be met with by imposing stringent conditions upon the applicant /accused, which would maintain balance between personal liberty and societal interest.
- vi. The applicant/accused was arrested on 24/2/2026 and after completion of police custody remand he is in judicial custody since 28/2/2026.
- vii. The applicant through his Ld. Advocate made a statement that he will cooperate the investigation and will remain present as and when required.

5. In view of the facts and circumstances noted above and considering role leveled against the accused person, there been

no past antecedent and injured persons are discharged from the hospital and principles laid down by Hon'ble Apex Court in the case of **Sanjay Chandra vs CBI, (2012) 1 SCC 40, Satender Kumar Antil vs CBI and another, (2022) 10 SCC 51** and principle laid down in the case of **Rameshbhai Batubhai Dabhi vs State of Gujarat, 2011(3) GLR page No.1999**, this Court deems it fit to exercise discretion in favour of the applicant – accused by imposing stringent conditions and accordingly, following order is passed in the interest of justice.

-: ORDER :-

1. The regular bail application of applicant - accused is **allowed.**
2. Applicant/accused – **Chehor @ Tiger Lilabhai Desai** is hereby ordered to be enlarged on regular bail in connection with offence being **Vastrapur Police Station** vide Part–A **C.R.No. 11191020260047/2026** for the offence punishable u/s. 109(1), 115(2), 117(2), 118(1), 118(2), 189(2), 191(2), 191(3), 190 of The Bharatiya Nyaya Sanhita and Sec.135(1) of G.P. Act on furnishing personal bond of Rs.10,000/- (Ten Thousand Rupees only) and surety of like amount before the concerned court on following conditions:
 - (a) Applicant/accused shall remain present before the concerned Police Station on **10th and 25th** date of every month between 11:00 AM to 02:00 PM till chargesheet is filed;
 - (b) Applicant/accused **shall not enter within revenue limits of Ahmedabad City** except for marking his

presence and for attending Court proceedings **till chargesheet is filed;**

- (c) Applicant/accused shall not leave India without prior permission of the Court;
 - (d) Applicant/accused shall not involve in identical or any other offence in future;
 - (e) Applicant/accused shall not tamper with the evidence or influence the witnesses;
 - (f) Applicant/accused shall furnish his present and permanent correct address and contact numbers to the court at the time of executing bail bond and shall also furnish the same to the Investigating Officer and shall not change the same without prior permission of the Court;
 - (g) Applicant/accused shall make himself available for interrogation by Investigating Officer as and whenever required;
 - (h) Applicant/accused shall also surrender his passport, if any, else shall make necessary affidavit within a week;
 - (i) Applicant/accused shall not take undue advantage of liberty or misuse liberty;
3. Bail Bond to be executed before the concerned Court and yadi be send accordingly.
 4. Copy of this order be sent to the concerned police station and Jail Authority.

Pronounced in the open Court today, this **16th day of March 2026.**

(Kamal M. Sojitra)
Principal District & Sessions Judge
Ahmedabad (Rural).
(Code : GJ01494)