

**IN THE COURT OF 3rd ADDITIONAL SESSIONS JUDGE,
ANAND @ KHMABHAT.**

CRIMINAL MISC. APPLICATION NO. 173 OF 2025

Exh. __

Applicant : State of Gujarat, through
V.P.Chauhan, Police Inspector,
Khambhat City Police Station.

Versus

Opponent : Jamshedkhan Joravarkhan Pathan
Resi.at. Khambhat, Rasulabad Society,
Tal.Khambhat.

PRESENT :

Mr. J.S.Gadhvi, learned Advocate for the applicant/State
Opponent/Accused.....Though served, not remained present.

: O R D E R :

1. Applicant has filed the instant application for cancellation of bail, granted to the Opponent (herein referred as "accused") vide order dtd 14/06/2022 passed in CRMA No.203/2022, in connection with the FIR lodged with Khambhat City Police Station, vide CR No.11215012220190/2022, for the offences punishable u/Secs.143, 147, 149, 337, 338, 307, 302, 332 & 120-B of IPC. Thus, the applicant/State has filed this application and seeking permission to cancel the bail due to contravention of conditions imposed in the bail order passed hereinabove.
2. The accused has been granted the bail by the Hon'ble Court in CRMA No.203/2022 by imposing 8 conditions

in the bail order dated 14-06-2022.

3. After releasing the accused on bail, he has commissioned another three offence which are registered as :- (1) CR No.11215012230314/2023, for the offence punishable u/Sec.135 of G.P.Act, dated 21-06-2023, (2) CR No.11215012230366/2023, for the offence punishable u/Secs.279, 186, 504, 506(1) of IPC, dated 21-07-2023 and (3) CR No.11215012250174/2025, for the offence punishable u/Sec.351(3), 351(4) & 54 of B.N.S.S., dated 11-04-2025, all offences are registered before Khambhat City Police station. In addition to the contentions mentioned in the application, Ld.APP has further contended that after release of the accused on regular bail, above three more cases have been lodged against him, hence the instant application deserves to be allowed because accused has violated the condition no.(3) of the bail order dated 14-06-2022 to the effect that, applicant shall maintain law and order. Thus, applicant/State in the end, prayed to reject the bail granted to the accused vide order dated 14-06-2022.
4. The accused was not remaining present before this Court during the trial in Sessions Case No.46/2024.
5. The notices of this application have been issued number of time upon the Accused and same were served upon the accused, his wife, friends and relatives, even the applicant never take any care to appear before this Court.
6. After careful consideration of order dated 14/06/2022, passed in CRMA No.203/2022 and upon perusing the conditions imposed therein, it transpires that the accused

has breached the condition no.(3) imposed in the said bail order. This Court has carefully gone through provisions enumerated in Sec.483(3) of B.N.S.S., 2023 (439(2) of Cr.P.C.)

Sec.483(3) - A High Court or Court of Session may direct that any person who has been released on bail under this Chapter be arrested and commit him to custody.

7. Thus, as per the above facts and circumstances of the case and the aforesaid provisions of 483(3) of B.N.S.S., 2023 (439(2) of Cr.P.C.) which are empowered to the Court may direct that any person who has been released on bail under this Chapter, be arrested and commit him to custody. Hence, this Court is of the opinion that this is a fit case to exercise the discretionary powers in favour of applicant/State to cancel the bail and to take the accused in judicial custody regarding the above breach of bail order.
8. Hence, in view of the provisions of 483(3) of B.N.S.S., 2023 (439(2) of Cr.P.C.), the ground of violation of condition no.(3), for cancellation of bail, following order is passed in the interest of justice.

:: ORDER ::

- Present application for cancellation of bail is hereby allowed.
- Bail bond furnished at the time of releasing him on bail before the Trial Court stands cancelled with regard to order dated 14-06-2022, passed by this Court in CRMA No.203/2022, in connection with the FIR lodged with

Khambhat City Police Station, vide CR No.11215012220190/2022, for the offences punishable u/Secs.143, 147, 149, 337, 338, 307, 302, 332 & 120-B of IPC and to issue NBW against the accused.

- It is hereby further directed to Police Inspector, Khambhat City Police Station, to execute NBW upon the accused - Mr. Jamshedkhan Joravarkhan Pathan, Resi.at. Khambhat, Rasulabad Society, Tal.Khambhat, and to report the same.

Pronounced in the open Court on this 1st day of August, 2026.

Date: 01/08/2026
Place : Khambhat

(Pravinkumar Harishchandra Sharma)
3rd Additional Sessions Judge,
Anand @ Khambhat.
JUDGE CODE - GJ00701