

GJBK010019402026



Received on : 21.05.2026
Registered on : 21.05.2026
Decided on : **29.05.2026**
Duration : 08 -- --
D M Y

**IN THE COURT OF I/C SESSIONS JUDGE,
BANASKANTHA AT PALANPUR**

Exh. _____

Criminal Misc.(Regular Bail) Application No.599/2026

**Applicant: Govabhai @ Govindbhai Gulabhai
Parmar**
Age: 32 Years, Occu.: Labour work,
Both R/o Jambera, Tal. Danta,
District: Banaskantha.
At present in Sub-Jail, Palanpur.

VERSUS

Opponent: The State

Appearance:

Ms. K. J. Yadav,	L.A. for the Applicant.
Mr. R. P. Vaishanv,	Learned Public Prosecutor for the Opponent State.

**APPLICATION FOR REGULAR BAIL UNDER SECTION
483 OF THE BHARATIYA NAGARIK SURAKSHA
SANHITA**

JUDGMENT

- (1) Present application is filed after filing of charge-sheet,
under Section 483 of the Bhartiya Nagarik Suraksha
Sanhita by the applicant for regular bail in connection

with the FIR being C.R. No. 11195002250450/2025 registered with Ambaji Police Station for the offence punishable under Section 108, 296(B), 115(2) & 54 of B.N.S.

- (2) Applicant was arrested by the police on 13.10.2025 and produced before the concerned Court on the same day and at that time he was sent to judicial custody since then applicant is in judicial custody hence, he has preferred the present application under section 483 of the Bhartiya Nagarik Suraksha Sanhita.
- (3) Notice was issued. Upon notice, Learned Public Prosecutor Mr. R. P. Vaishnav appeared for the State while L.A. Ms. K. J. Yadav appeared for the applicant.
- (4) Investigating Officer has filed an affidavit at Exh. 7 and opposed the bail application. It is submitted that alleged offence registered on 16.09.2025 and upon registering the offence, statement of the parents as well as uncle of the deceased victim had been recorded. It revealed from their statement that present applicant and another accused were suspecting doubt on the character of deceased victim Ravinaben (daughter of the complainant) and they were abusing and beating her and thereby causing physical and mental harassment to her so deceased victim hanged herself with rope and thereby all the accused abetted her to commit suicide. It is further submitted that muddamal was sent to F.S.L.

for analysis. It is also submitted that accused and complainant belong to same Village and also of the same caste. It is also submitted that though charge-sheet came to be filed but if applicant is released on bail then there are all chances of scuffle, hence, it is requested to reject the present bail application.

- (5) L.A. Ms. K. J. Yadav, appearing for the applicant has submitted that, applicant is falsely implicated in the offence, he is innocent and he has nothing to do with alleged offence. It is also submitted that earlier present applicant and another accused had filed Criminal Misc. Application No. 1214/2025 before this Court for getting regular bail but said bail application had been rejected by this Court vide order dated 19.12.2025. It is also submitted that father of the applicant namely Gulabhai Devabhai Parmar who is also accused of the alleged offence and he was in Sub-jail, Palanpur but due to some reason, he committed suicide in Sub-jail, Palanpur. Hence, present applicant had filed application before this Court for getting temporary bail and said application had been partly allowed and thereby applicant was released on temporary bail for the period from 11.03.2026 to 20.03.2026. Thereafter, applicant had filed Criminal Misc. Application No.285/2026 before this Court for getting regular bail but said application had been rejected by this Court vide order

dated 24.03.2026. Subsequently, applicant and another accused had filed Criminal Misc. Application No.506/2026 but said application had also been rejected by this Court vide order dated 02.05.2026. It is also submitted that before the death of the complainant's daughter Ravina, the complainant has registered an accident report in Ambaji Police Station in which the complainant has stated that for some unknown reason she has hanged herself with a rope and died. If the applicant and another accused had tortured the deceased or the deceased had died due to their torture, then the complainant would have registered the name of the applicant and another accused in the death report. But the fact that the complainant has not registered name anywhere proves that the applicant has no direct or indirect role in this crime. But, complainant had stated name of the applicant and another accused after two days. It is also submitted that applicant is residing with his family at Ambaji in rented house. It is also submitted that applicant is serving in G.R.T., Ambaji Police Station. It is further submitted that due to mental illness of his wife, presence of the applicant is required for taking her care. It is also submitted that compromise is made between the accused and complainant on 14.04.2026. Hence, due to change in circumstances, present bail application is filed. It is also submitted that applicant is residing at Jambera, Tal. Danta and having

movable and immovable property hence there is no question arise of flee away and there is no question arise for tampering or hampering with the evidence. It is also submitted that now, investigation is over and charge-sheet came to be filed hence, present application is filed after filing of charge-sheet. It is further submitted that if applicant is detained long time in judicial custody then his family have to face the consequences and have to face starvation. If, applicant is not released on bail, which amounts to pre-trial conviction, therefore, he has requested to enlarge the applicant on bail, whatever conditions will be imposed by this Court, applicant shall abide and comply with the conditions, hence, due to change in circumstances, it is requested to enlarge the applicant on regular bail.

(6) *Per contra*, learned Public Prosecutor Mr. R. P. Vaishnav has vehemently opposed the bail application and submitted that, if in such cases bail is granted then wrong signal goes to society and there are all chances of tampering and hampering with the evidence, such possibility cannot be ruled out and the accused will flee away from the justice, therefore, it is requested to reject the present bail application.

(7) Having heard learned advocates for both the sides and having gone through the police papers and contents of the FIR, it appears that, in present case accused is

facing the charge under Section 108, 296(B), 115(2) & 54 of B.N.S.. As per complaint, accused by suspecting doubt on character of daughter of the complainant, abused her and beaten her and thereby causing physical and mental harassment, deserted her and thereby abetted her to commit suicide. Hence, complaint came to be filed against the accused.

- (8) Looking to the police papers, it appears that alleged offence registered on 16.09.2025 and upon registering the offence, statement of the parents as well as uncle of the deceased victim had been recorded. It revealed from their statement that present applicant alongwith another accused were suspecting doubt on the character of deceased victim Ravinaben (daughter of the complainant) and they were abusing and beating her and thereby causing physical and mental harassment to her so deceased victim hanged herself with rope and thereby all the accused abetted her to commit suicide. It also appears that muddamal was sent to F.S.L. for analysis. It also appears that present applicant is brother-in-law of the deceased victim.
- (9) Moreover, looking to the whole material available on record, it appears that earlier applicants and another accused had filed Criminal Misc. Application No. 1214/2025 before this Court for getting regular bail but said bail application had been rejected by this Court

vide order dated 19.12.2025. Thereafter, present applicant had filed application before this Court for getting temporary bail and said application had been partly allowed and thereby applicant was released on temporary bail for the period from 11.03.2026 to 20.03.2026. Thereafter, applicant had filed Criminal Misc. Application No.285/2026 before this Court for getting regular bail but said application had been rejected by this Court vide order dated 24.03.2026. Subsequently, applicant and another accused had filed Criminal Misc. Application No.506/2026 but said application had also been rejected by this Court vide order dated 02.05.2026.

- (10) Now, it is pertinent to note here that original complainant Khimabhai Ravtabhai Solanki appeared before this Court and filed his affidavit at Exh.9 wherein he has mainly contended that there was no physical or mental harassment to his deceased daughter by the applicant and another accused and now settlement is made between them and he has no objection if applicant is released on regular bail.
- (11) Now, looking to the whole material available on record, it appears that this is 3rd regular bail application filed by the applicant. It also apparently appears that applicant is brother-in-law of the deceased and he is not the main accused. Though earlier Criminal Misc. Application

Nos. 285/2026 and 506/2026 had been rejected by this Court but as stated above complainant himself filed an affidavit before this Court at Exh.9 and he has no objection if applicant is released on bail. As such, parties arrived at compromise and there is change in circumstance. It is mainly contended by the learned advocate for the applicant that wife of the applicant is suffering from mental illness so his presence is required for taking her treatment. It further appears that applicant is resident of Jambera, Tal. Danta and having movable and immovable property hence, there is no question of flee away. Moreover, looking to the affidavit of the Investigating Officer, it appears that applicant has no criminal antecedent. It further appears that investigation is over and charge-sheet has already been filed and now, nothing is required to be recovered or discovered from the applicant and there is change in circumstances hence, at present there would be no purpose to keep behind the bar accused for indefinite period. Considering the said facts and circumstances of the case if bail is not granted which amounts to pre-trial punishment. Obviously, trial would take its own time and object of bail is not a punitive but preventive. While considering the bail application, court has to consider the allegation levelled against the accused, seriousness of alleged crime, possibility of tampering with witnesses and evidence and availability of the

accused at the time of trial.

- (12) Hence, In view of the above and keeping in mind the salutatory principle of criminal jurisprudence "**bail is rule and jail is exception**", as law laid down by the **Hon'ble Supreme Court in case of Sanjay Chandra Vs. C.B.I. reported in 2012(1) SCC Page 40**, further, it is needles to say that, unless and until offence is proved beyond all the reasonable doubt against the accused, the accused is innocent, is a presumption and its a cardinal principle of the criminal law.
- (13) Hence, as discussed above, looking to the role of the present applicant, I am inclined to allow the present application subject to allay apprehension of learned Public Prosecutor of accused flee away from justice by imposing certain stringent conditions. Hence, the following order is passed:

ORDER

1. The present bail application is hereby allowed.
2. The applicant - accused **Govabhai @ Govindbhai Gulabhai Parmar** (at present in Judicial Custody), is ordered to be released on bail in connection with offence registered with Ambaji Police Station vide C.R. No. 11195002250450/2025 for the offence punishable under Section 108, 296(B), 115(2) & 54 of the Bhartiya Nyaya Sanhita on executing his personal bond of **Rs.1,00,000/- (Rupees One Lac only) with a solvent**

surety of like amount subject to the following conditions:

- (i) Applicant shall not involve in such type of illegal activity or any other offence.
- (ii) Applicant shall provide his UID Adhar details and Cell phone numbers detail.
- (iii) Applicant shall not take undue advantage of the liberty and abuse his liberty.
- (iv) Applicant shall not tamper with the prosecution evidence or act in a manner prejudicial to the interest of prosecution.
- (v) Applicant shall surrender his passport with the concerned Court or file affidavit if he does not have passport.
- (vi) Applicant shall not change his residential address and contact numbers without prior permission of the concerned Court, and if in case of necessity address being changed, applicant shall immediately inform new address and cell phone numbers detail to the Court as well as to the concerned Police Station.

3. If breach of any of the above conditions is committed, aforesaid bail shall be treated as cancelled and concerned Court may have liberty to issue the warrant and take accused in custody.

Pronounced in the open Court today, this **29th** day of **May, 2026.**

PALANPUR.

Date: 29/05/2026

VISHAL

(Amitkumar J. Kanani)

I/c Sessions Judge,

B.K. District, Palanpur.

(Code : GJ00662)