

CRMA No.	333/2026
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<b>Ex.</b>	
Filed on	12/03/2026
Registered on	12/03/2026
Decided on	20/03/2026
Duration	Y 00 M 00 D 08

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, JAMNAGAR**

Criminal Misc. Application No.333/2026

**Applicant :-**

**Rajendrasinh Chandrasinh Solanki**

Age about 63 Years, Occupation : Farmer,

Resident of Sahjanand Society, Near Trikon Baug,

Dhrol, Taluka: Dhrol, District: Jamnagar

**Presently in the judicial custody at District Jail, Jamnagar.**

**VERSUS**

**Opponent:-**

The State of Gujarat,

Through Learned Public Prosecutor,

Jamnagar.

**Appearance:-**

Mr. J.N. Zala, learned Counsel for the Applicant.

Mr. J. K. Bhanderi, learned P.P. for the State.

**Subject:-** Application seeking enlargement on regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

## **J U D G M E N T**

1. Applicant herein has filed the present bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking the enlargement on regular bail.
2. Applicant herein has been arrested in connection with crime bearing registration No.11202058260001 of 2026 dated 01/01/2026 registered with Cyber Crime Police Station, District Jamnagar relating to the offence punishable under Sections 308(5), 308(6), 336(4), 356, and 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(c) of Information Technology Act, 2000.
3. The Notice of the application was issued to the prosecution agency and in pursuance thereto the prosecution has put its appearance through learned Public prosecutor and investigating officer filed an affidavit.

### **Submission on behalf of learned counsel for the applicant**

4. Learned Counsel for the applicant had submitted that applicant herein has filed the present application first time before this Court after filing of charge-sheet. It is submitted that, in the F.I.R., it is alleged that the accused persons have gathered the secret information of the business of the complainant and made AI generated video to defame the complainant and threatened to extort the money to the tune of Rs.23,00,000/-. It is submitted that the charge-sheet has been filed and there is no evidence on record which shows that the present applicant has ever contacted the complainant and the witness. It is submitted that the applicant is in

judicial custody since date 16/01/2026. It is submitted that there is a charge of criminal conspiracy, but there is no evidence on record that when and where alleged criminal conspiracy had been hatched among the accused persons. It is submitted that the offence of complaint is triable by the Court of Ld. Judicial Magistrate First Class and the maximum punishment is imposed for the same imprisonment of 10 years only. It is submitted that police wrongly added section 308(5) of B.N.S. which is a non bailable offence, It is submitted that the police simply mentioned Section 61(2) of B.N.S. which is for the punishment of criminal conspiracy, police has not clarified that the alleged offence falls under Section 61(2) (a) or 61(2)(b). It is submitted that if the applicant will not be enlarge on bail then there would be pre-trial punishment. It is prayed to allow the present application on whatever the condition the Court deems fit.

**Submission of learned Public Prosecutor for the State:-**

5. The Learned Public Prosecutor Mr. J.K. Bhanderi strongly opposed the bail application and argued that the accused persons committed criminal conspiracy and they have gathered certain secret information about the complainant and witness and they have made defamatory video with the use of Artificial Intelligence and extorted money from the complainant and the witness. It is submitted that the accused persons have demanded huge amount of Rs.23,00,000/- from the complainant by way of extortion. It is submitted that the present applicant is involved in one offence similar in nature and therefore, if he will be released, he will again indulge in similar

illegal activities and therefore, it is prayed to reject the present bail application.

**Considerations and reasons:-**

6. I have given my anxious consideration to the arguments submitted by both sides. I have perused the F.I.R., the affidavit of I.O. and the case papers. According to F.I.R., it is alleged that the accused Vishal Kansagra has made Facebook I.D. and accused Purshottambhai Mahendrabhai Parmar with other co-accused hatched criminal conspiracy and called the complainant through social media platform and threatened him that his secret information are with them and if the complainant do not sent money, they will implicate the complainant in false land grabbing case and accused Purshottambhai Mahendrabhai Parmar demanded Rs.23,00,000/- by way of extortion.
7. In the present case, the investigation has been already over and the charge-sheet has been filed.
8. Considering the charge-sheet and case papers, the role attributed to the present applicant is that he has gathered the secret information with the help of other co-accused of the complainant and the witness and forwarded such information from his e-mail ID to accused Vishal Kansagra.
9. It is not revealed from the case papers that the present applicant is ever contacted the complainant and witness through social media or through any other more. It is also not revealed from the charge-

sheet that the applicant has created video with the help of artificial intelligence.

10. Considering the quantum of punishment, the maximum punishment for the alleged offence is imprisonment of 10 years only and the alleged offence is triable by the Court of Ld. Judicial Magistrate First Class. Whether the alleged offence falls under Section 61(2)(a) or Section 61(2)(b) of B.N.S. will be decided by Ld. Trial Court at the time of framing of the charge.
11. It is alleged that present applicant having criminal antecedents and some criminal offences registered against present applicant. The trial would take its own time to conclude. Considering the ratio laid down by Hon'ble Apex Court, in case of Sanjay chandra Vs. CBI reported in AIR 2012 SC 830 and in case of Maulana Mohd. Amir Rashadi Vs. State of Uttar Pradesh Reported LAWS (SC) 1-28.
12. The applicant is a local resident of Jamnagar and therefore, he will remain present during the trial.
13. Considering of above reason, this Court incline to use its discretion in favour of the application and enlarge him on bail. Hence, following order is hereby passed:-

**:: O R D E R ::**

The present regular bail application stands allowed and the applicant **Rajendrasinh Chandrasinh Solanki** Age about 63 Years, Occupation : Farmer, Resident of Sahjanand Society, Near Trikon Baug, Dhrol, Taluka: Dhrol, District: Jamnagar (**Presently in the**

**judicial custody at District Jail, Jamnagar)** is ordered to be enlarged on Regular bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime bearing Registration No.11202058260001 of 2026 dated 01/01/2026 registered with Cyber Crime Police Station, District Jamnagar relating to the offence punishable under Sections 308(5), 308(6), 336(4), 356, and 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(c) of Information Technology Act, 2000. **on furnishing the local surety of Rs.25,000/- (Rupees Twenty Five Thousand Only)** and personal bond of the like amount before the Learned Trial Court with following conditions;-

**CONDITIONS :-**

1. The applicant shall file a pursis before the Trial Court with effect that he shall remain present during the trial on the date fix for hearing without fail or shall not take objections against the Court proceedings carried out in their absence.
2. The applicant shall furnish latest proof of his permanent residential address to the Trial Court as well as Police Station concerned and shall not to effect any change in such address without prior notice to the Trial Court.
3. The applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the investigation agency or tamper with the evidence.

4. The applicant shall not leave the territory of India without prior permission of the learned Trial Court and shall deposit his passport, if any, before the concerned Court. If the applicant not holding the passport, he has to declare the same on affidavit within seven days.

**>It will be open to for the concerned Learned Trial Court to alter, amend, modify delete, relax or omit any of condition in accordance with law.**

**>The Authority will release the applicant only if applicant is not required in connection with any other offence or case for the time being.**

**>At the trial, Learned Trial Court shall not be influenced by observations of preliminary nature, qua the evidence at this stage, made by this court while enlarging the applicant on bail.**

**>Bail bond to be furnished before the Learned Trial Court.**

**>Yadi of this order be sent to the concerned Trial Court, Police Station and the Jail Authority.**

Pronounced and signed all the pages of this judgment today in the open Court on this 20<sup>th</sup> day of March - 2026.

**(Sandeep Manharkumar Christy)**

Date:20/03/2026  
Place:Jamnagar.

04<sup>th</sup> Additional Sessions Judge Jamnagar  
I/C UIC No.GJ00929