



GJJM010009662026  11202045260131 CRMA S/334/2026	 सत्यमेव जयते	Filed on	12.03.2026
		Registered on	12.03.2026
		Decided on	18.03.2026
		Duration	00Y 00M 06D
		Exh.	06

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

CRIMINAL MISC. APPLICATION NO.334 OF 2026

Ratilal Devsibhai Chovatiya Aged: 64 Years, Occu.: Agriculture/Business Resi at : 'Vrundavan' Sohamnagar, Samarpan Hospital Road, Udyognagar, District Jamnagar	Applicant.
Versus		
The State of Gujarat Through : D.G.P. Jamnagar.	Opponent.

Appearance:

Learned Advocate Mr.B.H.Chotai for the applicant.

Learned P.P. Mr.J.K.Bhanderi for the opponent.

**APPLICATION UNDER SECTION 482 OF BHARTIYA
NAGARIK SURAKSHA SANHITA, 2023.**
J U D G M E N T

- (1) The present application is preferred by applicant under Section 482 of Bharatiya Nagarik Suraksha Sanhita in connection with

F.I.R. No.11202045260131 of 2026 dated 16.02.2026 registered with Panch "A" Division Police Station, District Jamnagar for the offence punishable u/s.4(3) and 5(c) of the Gujarat Land Grabbing (Prohibition) Act-2020.

- (2) Learned Advocate Mr.B.H.Chotai for the applicant has submitted that applicant is innocent and has not committed any offence. It is submitted the applicant herein has given the disputed property to his two sons in the year of 2019 and they have sold the said property on 08.05.2024 and no encroachment has been made by the applicant in the property of complainant. It is further submitted that applicant is 64 years old and doing agriculture work and he is only bread winner of his family. It is further submitted that the applicant does not have criminal antecedents and he is permanent resident of District Jamnagar. It is further submitted that the co-accused namely Dhirubhai Devshibhai Chovatiya has been enlarged on anticipatory bail by the Hon'ble Court vide Cr.M.A. No.290 of 2026, therefore, the present applicant is entitled to get the benefit of party. Based on above submissions, it is prayed to allow the present application.
3. Learned Public Prosecutor Mr.J.K.Bhanderi appeared and filed an affidavit of I.O. vide Exh.4 wherein it is contended that the complainant has purchased the said land from her mother vide Sale deed No.2211/2023 on 05.09.2023 and wherein the applicant herein alongwith other co-accused have constructed

the rooms and occupied illegally. It is submitted that there appears prima-facie case against the applicant. The investigation is still continued and hence, prayed to dismiss this Application.

4. Heard Ld. advocates for the parties. Perused the bail application, documents produced on record, affidavit of I.O. and police papers.
5. Perusing the record, it appears that the land bearing Old Survey No.400 paiki-9 (Revenue Survey No.887) of village Mota Thavariya, Taluka Jamnagar Rural, District Jamnagar was jointly owned and occupied by brothers and oral partition was made on said land. It further appears that small rooms were constructed on the said land where the applicant and other brothers were staying with their families. It further appears that thereafter in the year 2023, the question land was sold to present complainant by her mother. Perusing the record, it appears that the complainant had earlier filed application for land grabbing against the accused persons, however the same were disposed of due to lack of clarity of land of complainant. It further appears that the co-accused namely Dhirubhai Devshibhai Chovatiya has been enlarged on anticipatory bail by this Court vide Cr.M.A. No.290 of 2026, hence, as per the law of parity, present applicant is also entitled for the benefit of parity. It further appears that the co-accused namely Dhirubhai

Devshibhai Chovatiya had filed Civil Suit before the learned Civil Court, Jamnagar wherein the status qua is prevailing as on date. It would be relevant to observe that the present complaint is filed as arm twisting proceeding against the applicant and co-accused. The applicant is 64 years old and residing with his family at Jamnagar. The Civil Suit is pending before Civil Court, Jamnagar. There are no criminal antecedent against the applicant. Further, there appears no prima-facie case against the applicant and there is nothing which would require the custodial interrogation of applicant. Hence, I pass following order;

::- O R D E R :-

1. The present application is **allowed**.
2. The Applicant namely **Ratilal Devsibhai Chovatiya** Aged: 64 Years, Occu.: Agriculture/Business Resi at : 'Vrundavan' Sohamnagar, Samarpan Hospital Road, Udyognagar, District Jamnagar is ordered to be enlarged on Anticipatory Bail u/s. 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with FIR bearing No.11202045260131 of 2026 dated 16.02.2026 registered with Panch "A" Division Police Station, District Jamnagar for the offence punishable u/s. 4(3) and 5(c) of the Gujarat Land Grabbing (Prohibition) Act-2020 on furnishing the surety of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** and personal bond of the like amount before concerned police station with following conditions:-

CONDITIONS :-

- a) The applicant shall file a pursis before this court to the effect that he shall remain present during the trial on the date fix for hearing without fail.
- b) The applicant shall furnish latest proof of his permanent residential address to the Court as well as Police Station concerned and shall not change address without prior permission of this Court.
- c) 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 them from disclosing such facts to the investigation agency or tamper with the evidence.
- d) The applicant shall not leave the territory of **Gujarat** without prior permission of this Court and shall deposit his passport, if any, before the Court, within seven days and if not possessing passport then affidavit to that effect shall be filed.
- e) The applicant shall join investigation by remaining present at the police station concerned on 20th March, 2026 from 11-00am to 02-00pm and thereafter, he shall mark his presence at the police station concerned on 01st day of every month till the charge-sheet being laid ;
- f) Yadi of this order be sent to concerned Police Station and the Jail Authority.

Pronounced and signed today in the open Court on this **18th** day of March – 2026.

Place	:	JAMNAGAR	Robin P. Mogera
Date	:	18-03-2026	Additional Sessions Judge, Jamnagar.
			Code No. GJ01539