



Received on : 19/01/2026  
Registered on : 19/01/2026  
Decided on : 17/03/2026

**In the Court of Addl. Sessions Judge at Morbi.**

**Cri. Misc. Application No.70 of 2026**

**Applicant :**

**The Police Sub-Inspector,  
Tankara Police Station,  
Tankara, Dist. Morbi.**

**V E R S U S**

**Opponent:**

Nizambhai S/o. Ibrahimbhai Jusabbhai Amroniya.

**Appearance :**

Ld. Addl.P.P., Mr. N. D. Karia for the opponent - State.  
Ld. Adv. Mr. F. J. Oza for the applicant/accused.

**Application U/s. 483(2) of Bharatiya Nagarik Suraksha Sanhita  
for the cancellation of bail.**

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

- (1) The present applicant who is an Investigating Officer and on behalf of the State of Gujarat has filed the present application for cancellation of regular bail of opponent/accused which was granted by the this Court

vide Criminal Misc. Application No.984/2025, dated 13/08/2025 in respect of offence registered at Tankara Police Station vide I-C.R. No.0685/2025 for the offence punishable U/s.121(1), 121(2), 118(1), 131, 224, 226, 352, 285 and 51 of the Bharatiya Nyaya Sanhita. That at the time of releasing the applicant/accused this Court has imposed the Condition No.2 “The applicant/accused shall mark his presence before the concerned Police Station on the first day of every English Calendar week i.e. on every Monday at 11.00 a.m. sharp, and shall remain present there until he is permitted to leave by the concerned Police Officer. The applicant/accused shall attend the dates of hearing regularly during the trial”. In spite of this condition, the opponent/accused has not marked his presence before the concerned police Station. Hence, the present application U/s. 483(2) of B.N.S.S. for cancellation of Regular bail of the opponent/accused.

- (2) The notice of this application has been duly served to the opponent. The L.A. for the opponent/accused has appeared before the Court and she has filed her written objection vide Exh.6 and categorically denied all the allegations of the application. The said written statement is perused by this Court.
- (3) The Ld. A.P.P., Mr. N. D. Karia/ I.O. has appeared before the Court and has strongly submitted that the regular bail

application of the opponent/accused granted by the this Court with certain conditions. Out of which applicant/accused has not mark his presence as per condition no.2 of Cri. Misc. Application No.984/2025, and hence, there is breach of terms and conditions of the said regular bail. Hence, Ld. A.P.P. has prayed before the Court to cancel the regular bail of the accused.

- (4) After carefully consideration and submissions made by both the parties and on perusing affidavit of opponent/accused side at Exh.6, it reveals that I.O. shown that opponent/accused has breached condition no.2 of the regular bail application bearing Cri. Misc. Application No.984/2025. In the affidavit, it also reveals that opponent/accused has not breached the condition of any regular bail application and also it reveals that on 27-01-2026, while he was traveling from Tankara to Morbi by car during that time car got punctured, due to which he was delayed until about 1:30 p.m. Upon making inquiries, he came to know that the I.O. for recording his attendance would no longer record the attendance. Therefore, he was unable to mark his presence on that day. After that day, the accused has not committed any illegal act nor taken any undue advantage. The condition imposed at the time of granting regular bail is said to be faulted by the accused. But now considering the circumstances of the case, it seems that the cause shown in the application have become

infructuous. Hence, without entering into the merits of the case, I am of the opinion that the cause does not survive to the State to proceed further with this application. Hence, opponent/accused has not breached the said condition, and hence this application is requires to be rejected. Hence, following order is passed in the interest of justice.

**ORDER**

The present bail application No.70/2026 is hereby rejected on merits.

Signed and pronounced in the open Court today on this 17<sup>th</sup> day of March, 2026.

Place:Morbi  
Date:17/03/2026

**(Kamal Rasiklal Pandya)**  
Additional Sessions Judge  
Morbi  
**(GJ00739)**

bmdangar