

GJNV010014332026 		Received on : 27.05.2026 Filed on : 27.05.2026 Decided on : 04.06.2026 Duration : YY MM DD 00 00 07
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**IN THE COURT OF SESSIONS JUDGE OF NAVSARI
AT NAVSARI**

Criminal Misc. Application (Anticipatory) No.563/2026

Exh.____

Applicant :-

Kiranbhai Chandubhai Salat,

Age : 31 years, Occupation : Animal Husbandary,

Residing at : Mandir Fadiyu, Adada Village, Tal.&Dist.Navsari.

VERSUS

Opponent :-

The State of Gujarat

(Notice to be served upon the Public Prosecutor Navsari).

Ld. Adv. Mr. N.M.Rathod for the applicant.

Ld. APP Mr. B.D.Rathod for the State.

Application to enlarge on Anticipatory bail u/s.482 of BNSS

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

1. This is an application filed by applicant under Section 482 of Bharatiya Nyay Suraksha Sanhita, 2023 for releasing him on anticipatory bail in connection with **Application being No.58/2026 dated 23.02.2026 filed by Thakorbbhai Mitthalbbhai Patel in Navsari Rural Police Station, Navsari.**
2. Upon service of Notice to the Opponent-State, Ld. A.P.P. Mr. B.D.Rathod appeared on behalf of the Opponent-State and the Investigating Officer has filed affidavit vide **Exh.5.**

3. Ld. Advocate Mr. N.M.Rathod appearing on behalf of the applicant has reiterated the facts of the application and further submitted that, the present applicant is an innocent person who has not committed any wrong or any illegality and has not carried out any malafide act. He further submits that, the dispute is civil in nature and no custodial interrogation is required and the applicant is ready and willing to cooperate with the investigation. He further submits that, the applicant is permanent resident of Navsari and there is no possibility of absconding. Hence, it is submitted that, the applicant be released on anticipatory bail and in support of his contention placed reliance on citations which are as under :

1. *Javed Anand Vs. State of Gujarat, AIR Online 2019 Guj. 975,*
2. *Pradip N. Sharma Vs. State of Gujarat and another (Arising out of SLP (CRL.) No. 354/2019 & 2812/2019) of Hon'ble Supreme Court of India,*
3. *Sureshchandra Ramanlal Mehta Vs. State of Gujarat dated 15 May, 2008,*
4. *Keshavbhai Bhalabhai Mali Vs. State of Gujarat dated 19 May, 2026,*
5. *Jaydeep Girishbhai Nanera Vs. State of Gujarat, 21 May, 2026,*

4. Per Contra, the Ld. A.P.P. Mr. B.D.Rathod appearing on behalf of the opponent-State and has filed affidavit of I.O. **Exh.5** and submitted that the investigation of the alleged offence is in progress and the concerned police station has not registered any offence against the applicant, therefore, this application is premature and not tenable. It is further submitted that, the allegations disclose serious economic offences involving cheating and criminal breach of trust and investigation is at a nascent stage and custodial interrogation

of the applicant is necessary for effective investigation and there exists a reasonable apprehension that the applicant may influence witnesses or tamper with evidence if protected by anticipatory bail. It is further submitted that the Court has no power to pass any blanket order for the anticipatory bail. Hence, this anticipatory bail application may be rejected.

5. I have heard learned advocates for both the sides and perused the case papers. I have also perused the affidavit filed by the I.O. vide **Exh.5**. On perusal of the papers on record, the applicant in connivance with co-accused have committed a serious offence and present applicant has not cooperated in the investigation. The scope of consideration in an application for anticipatory bail is well settled. The Court is required to consider the nature and gravity of accusation, role attributed to the accused, requirement of custodial interrogation, possibility of tampering with evidence and the larger interest of justice. The allegations in the present case prima facie reveal commission of offences involving dishonest inducement, criminal breach of trust and misappropriation of property. The material collected during investigation indicates active involvement of the applicant in the alleged transaction. The case diary further reveals that investigation is at a crucial stage and substantial recovery as well as collection of documentary evidence is yet to be completed. The Investigating Agency has specifically asserted the necessity of custodial interrogation for tracing the flow of funds, recovery of relevant documents and identification of other persons involved in the offence. Granting the application is likely to prejudice the investigating officer's right to investigate. At this

stage, this Court finds that granting anticipatory bail may adversely affect the ongoing investigation. The nature of allegations and the manner in which the offence is alleged to have been committed require thorough investigation, which may be hampered if pre-arrest protection is granted. The learned advocate for the applicant has placed reliance on citations mentioned on page no. 2 of the preceding part of this judgment. I have gone through the said citations. As far as the said citations are concerned, the facts are totally different from the case on hand and hence the said citations are not applicable to the present facts and circumstances on hand. Without expressing any final opinion on the merits of the case, this Court is of the view that the applicant has failed to make out a case for exercise of discretionary relief under Section 482 of the BNSS. Hence, following order is passed:-

ORDER

1. The present application is hereby **rejected**.
2. However, it is clarified that the observations made herein are prima facie in nature and confined only to the adjudication of the present application. The Investigating Agency and the Trial Court shall proceed independently in accordance with law without being influenced by any observations contained in this order.

Signed and pronounced in the open Court today on this 04th day of June, 2026 at Navsari.

Date:04-06-2026
Place: Navsari.

(Chinmay Ghanshyambhai Mehta)
I/C. Sessions Judge,
Navsari.
UID Code No.GJ00534.

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