

Admitted On	16	06	2026
Decided on	30	06	2026
	Days	Months	Years
Duration		00	00

**IN THE COURT OF ADDL. SESSIONS JUDGE AT HIMMATNAGAR,
DIST: SABARKANTHA.**

CRI.M.A. No. 636/2026
Exbt. No.....

Applicant : **Nileshbhai Vallabbhai Sutariya**
Age: 54 years,
Resident At: 802, Galaxy Aentura,
Pal Adajan, Surat.

Versus

Opponent : The State of Gujarat,
Notice through the PP,
PP Office, Himmatnagar, District: Sabarkantha.

Appearance: Applicant side : Ld. Advocate Mr. B. M. Mangukiya.

Opponent side : Ld. PP Mr. H.V. Trivedi.

Admitted On	16	06	2026
Decided on	30	06	2026
	Days	Months	Years
Duration		00	00

CRI.M.A. No. 637/2026
Exbt. No.....

Applicant : **Saija Hitesh Thakkar**
Age: 54 years,
Resident At: 1002-A, Cloud 9,
Naherunagar, Satellite,
Ahmedabad.

Versus

Opponent : The State of Gujarat,

Notice through the PP,
PP Office, Himmatnagar, District: Sabarkantha.

Appearance: Applicant side : Ld. Advocate Mr. B. M. Mangukiya.
Opponent side : Ld. PP Mr. H.V. Trivedi.

Admitted On	16	06	2026
Decided on	305	06	2026
	Days	Months	Years
Duration		00	00

CRIM.A. No. 638/2026
Exbt. No.....

Applicant : **Kavisha Hitesh Thakkar**
Age: 22 years,
Resident At: 1002-A, Cloud 9,
Naherunagar, Satellite,
Ahmedabad.

Versus

Opponent : The State of Gujarat,
Notice through the PP,
PP Office, Himmatnagar, District: Sabarkantha.

Appearance: Applicant side : Ld. Advocate Mr. B. M. Mangukiya.
Opponent side : Ld. PP Mr. H.V. Trivedi.

ORDER

1. The present applicants have been filed under Section 482 of The BNSS, 2023 on behalf of applicants-accused seeking anticipatory bail in connection with application moved by Prashantkumar Vyas owner of Prithish Institute with Himmatnagar 'A' Divi. Police Station vide D.A.P. Application bearing No. 61/2026, in connection with the business transactions between the petitioners and Mr. Shaktisinh Gohil.

2. It has been submitted by Ld. Adv. for the applicants-accused that the applicants are apprehending their arrest in connection with application filed by Prashant Kumar Vyas being owner of Prithvi Institute against Shaktisinh Gohil and Radha Saktishing Gohil to the Police Inspector, Sector 7 Police Station, Gandhinagar. Pursuant to which the petitioner preferred application for anticipatory bail, as the petitioner was apprehending his arrest, in the court of Ld. District & Sessions Judge, Gandhinagar, being Criminal Misc. Application No.828 of 2026. The report has been submitted by the I.O. stating that the offence alleged is said to have been committed either in Bhavnagar, Himmatnagar and Ahmedabad City. Pursuant to the said report, the bail application has been disposed of. It has been orally informed that the application submitted by the complainant has been forwarded to Himmatnagar Police Station and therefore the petitioners are apprehending their arrest in connection with the complaint lodged by Mr. Shaktisinh Gohil. Further, stated that there is no dealing with the petitioners and the complainant. The petitioners have no privity with the complainant. The petitioners are not at all connected with any transaction directly with the complainant. There was settlement with the complainant, Mr. Jay Joshi and Ms. Saija Thakkar. The tri-partite agreement has been entered into amongst them on 03/10/2025. As per the said settlement, it has been made crystal clear that the petitioners have no role to play. Neither the petitioners nor Ms. Kavisha are involved in any manner whatsoever. According to the said settlement, certain amounts were agreed to be paid. MOU has been executed between Can Fly Consultancy of Ms. Urviba Jadeja and Ms. Saija Thakkar. There is some dispute in relation to late payment between the complainant and Ms. Saija Thakkar. Therefore, the application has been submitted to Mr. Gohil, Dy.S.P., Section 9 Police Station by the complainant. The copy thereof is not being made available to the petitioners.

Further, they argued that Nileshbhai has been unique disability ID issued by the Government of India with 70% physical impairment and disability.

Kavisha is the student and she is only 21 years old. She has nothing to do with business of her mother. She is studying at Ahmedabad. Still her name is also falsely implicated so as to bring pressure on Ms. Saija Thakkar.

Therefore, the petitioners were being threatened to be arrested in connection with the application submitted by the complainant and therefore, the petitioners preferred bail application for anticipatory bail and to grant protection.

3. On filing of the present application, Ld. DGP./Ad.P.P. for the State appeared and has submitted that even as per the report filed by the police vide Exh.8, no offence has been registered with reference to the application the present pre-arrest bail petition has been preferred and investigation still going on, it is the case of immigration service and work permit service and failure to obtain the same for the clients and customers of the complainant. He has argued that report of the I.O. has been filed. The investigation is going on. Hence, they have prayed to pass necessary order in this regard.

It appears that Prashantkumar Vyas, owner of Pritis Institute took all the responsibility for sending total of 71 clients to Canada and received total amount of Rs.11,37,50,000/- (Eleven Crores Thirty Seven Lakh Fifty Thousand) from all the clients. Prashantkumar gave it to Shaktisinh but till date Shaktisinh Gohil has not completed any PR work for the clients, so the complainant has filed an application. That 11 applications have been filed against Director of Pritis Institute by the different applicants and all those applications are presently under investigation. During the investigation, it was found that Nilesh Vallabhbhai Sutariya, Saija W/o. Hiteshbhai Thakkar (Bhatt) and Kavisha D/o. Hiteshbhai Thakkar had deposited total amount of Rs.16,00,00,000/- in the bank accounts. The investigation further revealed that after receiving such a huge amount, Nilesh Vallabhbhai Sutariya, Saija W/o. Hiteshbhai Thakkar (Bhatt) and Kavisha D/o. Hiteshbhai Thakkar acted as agents in the business, failed to follow immigration and work permit procedure for the beneficiaries and illegally usurped money. However, since no offence

has yet been registered regarding the facts disclosed in the above mentioned complaint and the investigation is going on.

As per IO's report there is no direct dealing between the complainant and the present applicants and present applicants have not received any amount directly from the complainant. Moreover, via media some portion of the payment has also been made by the respondent Shaktisinh to the complainant.

4. Moreover, recently in the judgment of Bhavchandbhai Bhadabhai Sheladiya V/s State of Gujarat, R/Criminal Misc. Application No. 6184/2021, in which Hon. High Court of Gujarat has directed as follows:

“In view of the statement of the learned APP, it is directed that in case the arrest of applicant is required with respect to the application made by one Manojbhai Parshottambhai, being No.39 of 2020, 15 days prior notice shall be given to him, so that he can avail appropriate remedy before the concerned court”.

5. In view of the discussion made above, from the perusal application, documents appended to it, this Court at this juncture is of the opinion that the present applicants-accused are having clear-cut apprehension that they may be arrested by the police in connection with the application referred above and so the applicants have preferred anticipatory bail application. The investigation is going on. Admittedly no offence has been registered with reference to the application filed against them and investigation is still going on.

Thus, looking to the facts and circumstances of the case, at this stage, there is no need to give detailed and elaborate reasons for the same, otherwise it will adversely affect the right of the parties as well as investigation. Therefore, without going into the merits of the case, the following order ensues:

ORDER

- The present application is, hereby, partly allowed with conditions.
- The Applicant – accused of CRMA No. 636/2026, namely
Nileshbhai Vallabhbhai Sutariya
- The Applicant – accused of CRMA No. 637/2026, namely
Saija Hitesh Thakkar
- The Applicant – accused of CRMA No. 638/2026, namely
Kavisha Hitesh Thakkar

all the trio applications stands allowed partly with following directions:

1. This order shall remain operative till seven days after registration of the FIR (if any) registered by the concerned Police Station. After that registration of FIR, the applicant-accused may prefer her bail application to the concerned Court on the basis of merits of the case.
2. This order shall not be taken as an expression on opinion of merits of any proposed FIR registered against applicant-accused.
3. The concerned IO has to give advance 7 days notice to the applicant-accused in the event of his arrest.

An intimation be issued to the concerned Investigating Officer/ In-charge of concerned Police Station in this regard.

Read & Pronounced in the open Court.

Date : 30/06/2026
Himmatnagar.

M.N. Shaikh (GJ00611)
Addl. Sessions Judge, At: Himmatnagar, (S.K.)

KJP