

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 4877 of 2026**

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SONALBEN SANJAYBHAI FALDU & ANR.

Versus

STATE OF GUJARAT

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Appearance:

MR LAXMANSINH M ZALA(5787) for the Applicant(s) No. 1,2

MR J K SHAH, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE NIKHIL S. KARIEL****Date : 10/03/2026****ORAL ORDER**

1. Heard learned Advocate Mr. Laxmansinh M. Zala appearing on behalf of the applicants and learned Additional Public Prosecutor Mr. J.K. Shah appearing on behalf of the respondent-State.
2. **Rule.** Learned APP waives service of rule on behalf of the respondent-State.
3. The applicants have filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicants on Regular Bail in connection with FIR being C.R. No. 11201018250038 of 2025 registered with CID Cyber Crime Police Station, District Gandhinagar, for the offence punishable under Sections 3(5), 61(2), 127(4), 143(3), 144, 145 and 146 of the Bharatiya Nyaya Sanhita and Section 66(d) of the Information Technology Act.
4. Learned advocate for the applicants would submit that considering

the role attributed to the applicants, and nature of the allegation levelled, the applicants may be enlarged on regular bail. It is further submitted that since the charge-sheet is filed, no useful purpose would be served by keeping the applicants in jail for indefinite period. It is further contended that the applicants are ready and willing to abide by all the conditions that may be imposed by this Court if released on bail.

5. As against the same, learned Additional Public Prosecutor appearing for the respondent – State has vehemently objected to the grant of regular bail to the applicants. Learned APP has submitted that looking to the nature of offence and the role attributed to the present applicants as coming out from the charge-sheet, this Court may not exercise the discretion in favour of the applicants and the application may be dismissed.

6. This Court heard learned advocates appearing on behalf of the respective parties and perused the documents on record including the charge-sheet papers.

7. At the outset, it requires to be mentioned that the allegations against the applicants herein, the applicant No. 1 herein being the wife and the applicant No. 2 being the husband, being different, this Court, considering the reasons referred to hereinafter, is disinclined to exercise

discretion in favour of the applicant No.1, whereas considering the aspects referred to hereinafter, this Court is inclined to release the applicant No.2 on regular bail.

8. Having heard learned Advocates for the respective parties and having perused the documents on record including the charge-sheet papers, this Court is disinclined to consider the present application qua the applicant No.1 for the following reasons.

i. Insofar as the applicant No. 1 is concerned, as noted hereinabove, the offence being very serious and whereas it would appear that the said applicant is one of the principal players of the offence in question.

ii. It would appear in this regard that unsuspecting victims were lured with giving them job offers in Thailand, on a salary of around Rs.80,000/- per month and whereas the company in question was providing the air tickets also, and whereas upon landing in Bangkok, the victims would be taken to Myanmar through land route etc. and ultimately, the victims would be kept in cyber parks in Myanmar, wherein they would be trained to execute cyber offences, including digital arrest.

iii. It would appear in this connection that insofar as applicant No. 1 is concerned, five persons had been sent to Myanmar via Thailand and

whereas this Court has perused the statements of some of the victims and whereas the statements reflect that the applicant No.1 was clearly aware that the victims were not sent to Thailand for any job offer, rather the victims were sent to Myanmar, which was their ultimate destination. It has come out that the victims upon landing at Bangkok, Thailand, were taken to a different location in taxi and whereas, at the destination concerned in Thailand, hotel rooms were also arranged for the victims. All the above events being coordinated by the applicant No.1.

iv. It would also appear that some of the victims, upon realizing that they were being held as cyber slaves in Myanmar, tried to contact the present applicant No.1 and whereas, they realized that the applicant No.1 had changed her mobile number.

v. The fact of the transaction not appearing to be a one off transaction and whereas, the statements of the victims reveal that around 50 to 60 persons had tried to escape from cyber slavery and had gone to an Army Camp in Myanmar and whereas, it is with the help of Myanmar Army that the persons, i.e. Indian Nationals, could reach the Indian Embassy, who were later deported. It also appears that at the Indian Embassy, they found that there were around 200 persons, who were taken to Thailand under the same guise.

vi. The fact that from the statements of the victims, it would clearly appear that the cyber slavery park where the victims were kept were all managed by Foreign Nationals.

vii. Thus, it would prima facie appear that there is an international racket working wherein Indian Nationals are lured with job offers in Thailand and whereas, thereafter, they are trafficked to Myanmar and are held as cyber slaves made to execute various cyber crimes. Furthermore, while the present applicant No.1 may be responsible for sending five victims, yet, since it appears that the same is a part of an international racket, this Court is of the opinion that the application is not required to be considered qua the applicant No.1.

9. Having regard to the above observations and reasons since it appear to this Court that the offence is very serious and whereas the role of the applicant No.1 also clearly coming out in the investigation, this Court is not inclined to consider the present application qua the applicant No.1. Hence, the present application is rejected qua the applicant No.1. Rule is discharged qua the applicant No.1.

10. This Court would consider the following aspects for entertaining the present application qua the applicant No.2:-

- i. The allegations in the FIR being very serious, i.e. the accused having sent unsuspecting victims to Myanmar, as cyber slaves, under the promise of providing job as Data Entry Operators in Thailand on a salary of around Rs. 80,000/- per month.
- ii. The allegations being co-relatable to applicant No. 1 i.e. the wife of the applicant No.2 herein and whereas the role attributed to the applicant No.2 is of assisting his wife and no other specific role is attributed to the applicant No.2.
- iii. Considering the nature of allegations made against the applicant No.2 and the role attributed to him, this Court is inclined to consider this application qua the applicant No.2.

This Court has taken into consideration the law laid down by the Hon'ble Apex Court in the case of **Sanjay Chandra v. Central Bureau of Investigation reported in [2012] 1 SCC 40**.

11. In the facts and circumstances of the case and considering the nature of the allegations made against the applicant No.2 in the First Information Report, without discussing the evidence in detail, prima facie, this Court is of the opinion that this is a fit case to exercise the discretion and enlarge the applicant No.2 on regular bail.

12. Hence, the present application is allowed qua the applicant No.2 – Sanjaybhai Haribhai Faldu. The applicant No.2 Sanjaybhai Haribhai Faldu is ordered to be released on bail in connection with FIR being C.R. No. 11201018250038 of 2025 registered with CID Cyber Crime Police Station, District Gandhinagar, on executing a bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that he shall;

[a] not take undue advantage of liberty or misuse liberty;

[b] not act in a manner injurious to the interest of the prosecution;

[c] surrender passport, if any, to the lower court within a week;

[d] not leave the State of Gujarat without prior permission of the Sessions Court concerned;

[e] furnish the present address of residence to the I.O. and also to the Court at the time of execution of the bond and shall not change the residence without prior intimation to the I.O.;

[f] mark presence once a month for a period of six months before the concerned police station.

13. The Authorities will release the applicant No. 2 only if he is not

required in connection with any other offence for the time being. If breach of any of the above conditions is committed, the Sessions Court concerned will be free to take appropriate action in the matter.

14. Bail bond to be executed before the lower court having jurisdiction to try the case. It will be open for the concerned Court to delete, modify and/or relax any of the above conditions in accordance with law.

15. At the stage of trial, the trial court shall not be influenced by any observations of this Court which are of preliminary nature made at this stage, only for the purpose of considering the application of the applicant No. 2 for being released on regular bail.

16. The application is allowed qua the applicant No. 2 in the aforesaid terms. Rule is made absolute to the aforesaid extent qua the applicant No.2.

Direct service is permitted.

BDSONGARA

(NIKHIL S. KARIEL,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: BHUPENDRASINH DHANESINH SONGARA(HC01082), Private Secretary, at High Court of Gujarat on 13/03/2026 11:07:59