

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER CHARGESHEET) NO. 5442 of 2026****With****R/CRIMINAL MISC.APPLICATION NO. 5449 of 2026****With****R/CRIMINAL MISC.APPLICATION NO. 5452 of 2026****With****R/CRIMINAL MISC.APPLICATION NO. 5469 of 2026**

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MIT PRAVINBHAI KHOKHAR**Versus****STATE OF GUJARAT**

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Appearance:**MR. RAHUL R DHOLAKIA(6765) for the Applicant(s) No. 1****MR LB DABHI, ADDL. PUBLIC PROSECUTOR for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 06/03/2026****COMMON ORAL ORDER**

1. Heard learned advocate Mr.Rahul Dholakia appearing on behalf of the applicant and learned Additional Public Prosecutor Mr.L.B.Dabhi appearing on behalf of the respondent-State.

2. **Rule.** Learned APP waives service of rule on behalf of the respondent-State.

3. At the outset, learned advocate Mr.Dholakia would inform this Court that upon an application preferred by the co-accused being Special Criminal Application No.9755/2025, a learned Coordinate Bench of this Court vide order dated

02.03.2026 has directed consolidation of all the four FIRs. Furthermore, since the allegation levelled in the FIRs appear to be identical and since the accused are almost the same, this Court is inclined to consider the all the four FIRs conjointly.

3.1. The applicant has filed these applications under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail in connection with FIRs being C.R. No. 11210047251103/2025 registered with Udhana Police Station, Surat, C.R. No. 11210008250514/2025 registered with Sarthana Police Station, Surat, C.R. No. 11210008250528/2025 registered with Sarthana Police Station, Surat and C.R. No. 11210008250527/2025 registered with Sarthana Police Station, Surat for the offence punishable under Sections 316(5), 317(2), 318(4), 351(2), 61(2) of the BNS, Section 66(d) of the I.T.Act and Section 3 of the GPID Act.

4. Learned advocate for the applicant would submit that considering the role attributed to the applicant, and nature of the allegation levelled, the applicant 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 applicant in jail for indefinite period. It is further contended that the applicant is 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. Learned APP has submitted that looking to the nature of offence and the role attributed to the present applicant as coming out from the charge-sheet, this Court may not exercise the discretion in favour of the applicant and the application may be dismissed.

6. I have heard learned advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

i. It would appear in this regard that conjointly that are a total of 16 victims including the complainants of the FIRs and whereas, the amount defrauded comes to around Rs.3,45,81,000/-.

ii. While learned advocate Mr.Dholakia would try and submit that the present applicant was acting on behalf of the

other accused, whereas, prima facie, it would appear to this Court that the present applicant and other accused were working together.

iii. This Court has also considered the fact that the present applicant was arraigned as an accused in a different FIR for offence punishable under Sections 316(5), 319(2), 318(4), 336(2), 338, 336(3), 340(2), 61(2) and 3(5) of the BNS and Section 66(d) of the I.T.Act and whereas, vide order dated 02.02.2026 in Criminal Misc. Application No.26866/2025, this Court has released the present applicant on regular bail.

iv. This Court has also considered the fact that while the present applicant is stated to have been arrested in the present FIRs firstly on 06.10.2025, cumulatively, the present applicant is in custody since 23.05.2025.

v. This Court has also considered the voluntary submission made by learned advocate Mr.Dholakia that the applicant, without any prejudice to his rights and contentions, would deposit an amount of Rupees One Crore with the learned Trial Court i.e. Rs.10,00,000/- as a precondition to release and remaining Rs.90,00,000/-within a period of four months from the date of release.

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.**

7. In the facts and circumstances of the case and considering the nature of the allegations made against the applicant 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 on regular bail.

8. Hence, the present application is allowed. The applicant is ordered to be released on bail in connection with FIRs being C.R. No. 11210047251103/2025 registered with Udhana Police Station, Surat, C.R. No. 11210008250514/2025 registered with Sarthana Police Station, Surat, C.R. No. 11210008250528/2025 registered with Sarthana Police Station, Surat and C.R. No. 11210008250527/2025 registered with Sarthana Police Station, Surat, on depositing an amount of Rs.10,00,000/- (Rupees Ten Lakhs Only) as a precondition of release, on filing an undertaking before the learned Trial Court within a period of one week from the date of release as

regards the remaining amount of Rs.90,00,000/- (Rupees Ninety Lakhs Only) to be paid by the applicant within a period of 120 days from the date of his release and on executing a bond of Rs.1,00,000/- (Rupees One Lakh 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 fortnight till the amount is deposited and thereafter once a month for a period of six months before the concerned police station.

9. In case the above referred amount is not deposited within the stipulated time limit, it would be open for the Trial Court to take appropriate action in accordance with law.

9.1. Upon the amount being deposited, the same shall be invested in fixed deposit, and whereas, the learned Trial Court shall decide appropriately as regards apportionment / disbursement of the said amount, at the time of the final outcome of the trial.

10. The Authorities will release the applicant 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.

11. 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.

12. 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 for being released on regular bail.

13. The applications are allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

Bhoomi

(NIKHIL S. KARIEL,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: BHOOMI YOGESHBHAI MISTRY(HC01557), PRIVATE SECRETARY, at High Court of Gujarat on 07/03/2026 12:09:29