

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 3261 of 2026**

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JYOTINDRA MADANLAL GAJIWALA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

BHAGIRATH N PATEL(9016) for the Applicant(s) No. 1

MS KIRAN R UDASI(12127) for the Applicant(s) No. 1

NOTICE NOT RECD BACK for the Respondent(s) No. 2

MR.HARDIK SONI, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 18/03/2026****ORAL ORDER**

1. Rule returnable forthwith. Learned APP waives service of notice of Rule on behalf of respondent-State.

2. Present application has been filed by the applicant for modification of conditions imposed vide order dated 08.12.2017 passed in Criminal Misc. Application No.356 of 2017 by learned Special Judge, (C.B.I.) Court, Ahmedabad City.

3. Learned advocate for the applicant submitted that while enlarging the applicant on bail, the learned Special Judge, (CBI) Court, Ahmedabad vide aforesaid order, has imposed a condition no.6 i.e. *"The applicant shall surrender his passport, if any, to this Court, within 15 days. If he does not possess, then he shall file an affidavit to that effect"*. He further submitted that

pursuant to the aforesaid order, the applicant had deposited his passport before the concerned Court. However, the applicant is desirous of travelling abroad with his family and for some personal work, he had approached the concerned Court. However, the said application was dismissed. Thus, the applicant is before this Court by filing present petition. He, therefore, submitted to allow the present application and allow the present applicant to travel abroad.

4. Learned advocate Mr. R. C. Kodekar appearing for the respondent CBI has opposed the present petition.

5. Heard learned advocates for the respective parties.

6. In view of the cause shown, the present application requires consideration.

7. Having regard to the fact that the applicant is desirous to travel abroad for a period commencing from 20.03.2026 to 31.03.2026, the condition no.6 imposed vide order dated 08.12.2017 is ordered to be suspended for a period one month. The passport of the applicant shall be returned upon deposit of Rs.2,00,000/- before the concerned trial Court and the same shall be refunded upon returning India and surrendering the passport back to the concerned trial Court after due and proper verification. Other conditions of the order shall remain intact. The applicant shall furnish detailed travel itinerary before the trial Court.

8. Present application stands disposed of. Rule is made absolute to the aforesaid extent. Direct service is permitted **TODAY.**

(M. R. MENGDEY,J)

NABILA

Original copy of this order has been signed by the Hon'ble Judge.

Digitally signed by: NABILABANU MOHAMADNOOR PATNIJAMAT(HC00630), Private Secretary, at High Court of Gujarat on 18/03/2026 16:01:28