

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - BEFORE
CHARGESHEET) NO. 6756 of 2026**

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RASIDABEN D/O. GULABBHAI JUMABHAI AAGHA W/O. RAFIKBHAI
LAKHA

Versus

STATE OF GUJARAT

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Appearance:

MR MONAL S CHAGLANI(10240) for the Applicant(s) No. 1

MR ADITYA JADEJA ADDITIONAL PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 24/03/2026

ORAL ORDER

1. Heard learned Advocate Mr. Monal Chaglani on behalf of the applicant and learned Additional Public Prosecutor Mr. Aditya Jadeja for the respondent-State.

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

3. The present applicant who has been arraigned as lady accused has preferred this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail in connection with FIR being **C.R. No. 11203070260083 of 2026 registered with Visavadar Police Station, District: Junagadh** for the offence punishable under Sections 108 and 54 of Bhartiya Nyay Sanhita, 2023 after filing of the charge-sheet more particularly the application preferred by the

applicant having been rejected by the learned Trial Court.

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. This Court has heard learned Advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

- (i) The allegation being that the applicant had abetted suicide of the deceased.
- (ii) The fact of there being no specific allegations against the applicant in the FIR.
- (iii) As it appears, the proximate cause for the deceased to commit

suicide appears to be the fact of the accused named in the FIR, having settled the matter with the deceased and her family members and while taking her back to the matrimonial home, having thrown her out of the Car and having taken the minor daughters of the deceased to the paternal home of the deceased and thereafter having returned a child aged two years and not returning a child aged 4 years.

(iv) The fact of the applicant not being in the group which had come to settle the matter with the deceased and her family members.

(v) The fact of the applicant being a lady accused aged around 24 years having two minor children.

(vi) The fact of the applicant being in custody since 26.02.2026.

7. 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**.

8. 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.

9. Hence, the present application is allowed. The applicant is ordered to be released on bail in connection with FIR being **C.R. No. 11203070260083 of 2026** registered with **Visavadar Police Station, District: Junagadh** on

executing a bond of **Rs.10,000/- (Rupees Ten Thousand only)** with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that she 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 proposed 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 residential address without prior intimation to the I.O.

10. The Authorities will release the applicant only if she 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 Judge 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 application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

NIRU

(NIKHIL S. KARIEL,J)