

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 6960 of 2026**

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DHRUV JIVRAJBHAI CHAVDA
Versus
STATE OF GUJARAT & ANR.

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Appearance:

DARSHANKUMAR R PATEL(9406) for the Applicant(s) No. 1
MR DARSHANKUMAR P VEGAD(11612) for the Applicant(s) No. 1
MS.JALPABEN V. VANALIYA, ADVOCATE for the Respondent(s) No. 2
MS.JIRGA JHAVERI, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI**

Date : 07/04/2026

ORAL ORDER

1. Heard learned advocate appearing on behalf of the applicant and learned Additional Public Prosecutor appearing on behalf of the respondent-State.

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

3. The applicant has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail in connection with FIR being Part-A C.R. No. 11210004260020 of 2026 registered with Amroli Police

Station, Surat City, for the offence punishable under Sections 137(2), 87, 64(2)(1) of the Bhartiya Nyaya Sanhita, 2023 and under the provisions of Sections 3 and 4 of the Protection of Children from Sexual Offenses Act, 2012.

4. Learned advocate for the applicant would submit that, considering the role attributed to the applicant, who is aged 20 year 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, further incarceration of the applicant will not benefit the Investigation Officer in any manner. 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. Learned advocate upon instructions submits that the applicant will remain within the State of Gujarat during the trial.

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 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. The original complainant Sonalben is present before this Court who has tendered an affidavit-in-reply. The same is taken on record, wherein, she has submitted that because of some misunderstanding, the FIR came to be lodged by her, however, now, she has no grievance against the petitioner, and that in the heat of moment, the FIR came to be lodged by her.
- ii. The applicant is a permanent resident of District:Bhavnagar, hence, would be available at the time of trial.

iii. The applicant does not have any criminal antecedent.

iv. There was romantic relationship between the applicant aged 20 years and the victim aged 16 years and 3 months.

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 FIR being Part-A C.R. No. 11210004260020 of 2026 registered with Amroli Police Station, Surat City, on executing a bail bond of Rs.25,000/- (Rupees Twenty Five

Thousand only) with one local 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, and if he does not possess a passport, he shall file an affidavit to that effect;

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

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

9. 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 Court concerned will be at liberty to take appropriate action in accordance with law.

10. Bail bond to be executed before the competent 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.

11. At the stage of trial, the competent 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 enlarging the applicant on regular bail.

12. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.

ANKIT SHAH

(UTKARSH THAKORBHAI DESAI, J)