

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL MISC.APPLICATION (FOR ANTICIPATORY BAIL) NO. 7813 of 2025**

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RAVIRAJ BHALABHAI SOLANKI

Versus

STATE OF GUJARAT

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Appearance:

MS TASNIM A ZABUAWALA(10756) for the Applicant(s) No. 1

MR HK PATEL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 22/04/2025

ORAL ORDER

When this Court posed a query as regards compliance of section 35 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), learned APP has submitted that though notice is served, the applicant has not joined the investigation though he has filed detailed reply to the notice. However, upon instructions, learned advocate for the applicant states that applicant is ready and willing to join the investigation on **30.04.2025**. If the applicant so appears, the Investigating Officer is directed to scrupulously follow the proposition of law as settled by the Hon'ble Supreme Court in the case of **Arnesh Kumar v. State of Bihar** reported in **(2014)8 SCC 273**; **Satender Kumar Antil v. Central Bureau of Investigation & Anr.** reported in **(2022)10 SCC 51** and **Md. Asfak Alam vs. State of Jharkhand and Another** reported in **2023 SCC OnLine SC 892** and even the learned Magistrate before mechanically authorizing the detention of applicant shall follow the dictum of Hon'ble Supreme Court in the aforesaid decisions.

Stand over to **02.05.2025**. Direct service is permitted.

**(HASMUKH D. SUTHAR, J.)**

Ajay

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

Digitally signed by: AJAY CHANDRAN MENON(HC00939), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 22/04/2025 14:34:29