

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR TRANSIT BAIL) NO. 8711 of 2026**

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RISHI LUNKARAN VAKHTHARIA & ORS.
Versus
CENTRAL BUREAU OF INVESTIGATION

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Appearance:

MR ANVESH V VYAS(5654) for the Applicant(s) No. 1,2,3,4
MR DHAVALKUMAR L DESAI(11889) for the Applicant(s) No. 1,2,3,4
MR RC KODEKAR(1395) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL**Date : 16/04/2026****ORAL ORDER**

1. Draft amendment is allowed. To be carried out forthwith.
2. Issue Rule, fixed forthwith. Learned APP waives service of Rule on behalf of Respondent State. Learned Advocate Mr. R.C. Kodekar waives service of rule for Respondent No. 1.
3. This application is filed by the applicant seeking grant of transit bail for six weeks in connection with the Case No. RC-11(S)/2016-CBI-R registered at CBI, ACB, Ranchi for the offences punishable under Section 120-B, 415, 420 of IPC and Section 3 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978.
4. Heard Learned Advocates for the respective parties.
5. The Applicant namely Anita Wife of Arvindkumar Vakhtaria has placed on record the Additional Affidavit on

behalf of the Petitioners that all the applicants are residing at 206, Bilipatra Complex, Nr. Shiv Vatika, Harni Warasiya Ring Road, Vadodara 390006. Thus, this Court has jurisdiction to entertain the present petition for grant of transit bail.

6. Learned advocate for the applicant would submit that the applicant is apprehending arrest in connection with the above FIR and therefore, the applicant is desirous of moving the jurisdictional Court seeking anticipatory bail and hence, he urges that, in the interregnum, applicant may be protected and transit bail may be granted to the applicant.

7. Learned Advocate for the Applicant has relied on the judgment in the case of Priya Indoria vs The State Of Karnataka (2023 INSC 1008).

8. Learned Advocate Mr. R.C. Kodekar for Respondent No. 1 and Learned APP for the Respondent-State submitted that the fear of the applicants is not a real apprehension of their arrest, particularly when the applicants have been given notice under Section 91 of the CrPC to produce documents in connection with the FIR mentioned hereinabove. Therefore, the present application is misconceived and has urged to reject the same.

9. The case of the Applicants is that they are directors of M/s Haldhar Realty and Enterprises Limited and Haldhar Vikas Credit Co-operative Society, and that an FIR has been lodged against them in Gujarat in connection with offences punishable under Section 3 of the GPID as well as other offences under the IPC. Recently, the applicants were served with a notice issued

by Respondent No. 1 pursuant to a case registered in the year 2016 under Section 91 of the CrPC.

10. The Applicants apprehend arrest pursuant to the case mentioned in the said notice. It would not be easy for them to approach the State of Jharkhand and avail the remedy of bail in anticipation of arrest; hence, they have prayed for transit bail before this Court. They have sought transit bail for at least six weeks to enable them to approach the State of Jharkhand and avail appropriate remedies. They submit that they have no direct connection so that they can prefer anticipatory bail at Jharkhand, and that if they approach for bail in anticipation of arrest, there is every likelihood that they would be arrested, thereby frustrating the very purpose of seeking anticipatory bail.

11. Thus, they have prayed for the grant of transit bail for six weeks in connection with Case No. RC-11(S)/2016-CBI-R registered at CBI, ACB, Ranchi for offences punishable under Sections 120-B, 415, and 420 of the IPC and Sections 3 and 6 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978, as mentioned in the notice issued by Respondent No. 1.

12. Considering the ratio laid down in the case of Priya Indoriya (Supra), more particularly the fact that an FIR has been registered pursuant to which the applicants have been issued notice under Section 91 of the CrPC, and also considering that the applicants have been granted anticipatory bail for the offence registered before the CID Crime Zone bearing CR No. 3/2017, wherein one of the conditions is that

they shall not leave the State of Gujarat without prior permission of the Court, and all are residing at the address given in the additional affidavit filed by the Applicants, i.e., 206, Bilipatra Complex, Nr. Shiv Vatika, Harni Warasiya Ring Road, Vadodara - 390006.

13. This Court is competent to entertain the present application, particularly since the applicants have received notice under Section 91 of the CrPC for an offence registered in the year 2016, and their apprehension is reasonable. Considering that we are now in the year 2026 and almost 10 years have lapsed since the registration of the FIR, no adverse impact would be caused to the investigation if the applicants are protected by way of transit bail.

14. This Court is satisfied regarding the inability of the applicants to approach the competent court in the State of Jharkhand seeking bail in anticipation of their arrest. The reasonable apprehension based on the notice issued under Section 91 of the CrPC cannot be brushed aside. This Court finds the present case to involve exceptional and compelling circumstances to grant transit bail/interim protection to enable the Applicants to make an application under Section 438 of the CrPC before the court of competent jurisdiction; otherwise, they would face an irreversible situation.

15. In the facts and circumstances of the case, this application deserves to be allowed and is accordingly, allowed in part. It is directed that the applicant shall not be arrested for a period of 4 weeks in connection with the aforesaid FIR.

The applicant may approach the competent Court with territorial jurisdiction for the purpose of obtaining anticipatory bail in connection with the aforesaid offence. This order shall remain in force for four weeks from today.

16. It is made clear that if the applicant fails to comply with the above condition and does not approach the Court of competent jurisdiction, the transit bail granted by this Court shall stand automatically cancelled. Rule is made absolute to the aforesaid extent.

MMP

(P. M. RAVAL, J)