

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 5838 of 2026**

With
CRIMINAL MISC.APPLICATION (PAROLE LEAVE) NO. 1 of 2026
In R/SPECIAL CRIMINAL APPLICATION NO. 5838 of 2026

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MANUBHAI SUMATBHAI SANDSUR

Versus
STATE OF GUJARAT & ORS.

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Appearance:

BHAVIN B THAKAR(9371) for the Applicant(s) No. 1

NOTICE SERVED for the Respondent(s) No. 2,3

MS MAITHILI MEHTA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE M. R. MENGDEY**

Date : 17/06/2026

ORDER

Order in Special Criminal Application No.5838 of 2026

Rule. Learned APP waives service of notice of Rule on behalf of respondent state.

1. By filing the present petition, the petitioner has challenged the order dated 30.03.2026 passed by the State Government in the Home Department, whereby the case of the petitioner for grant of remission has been dismissed.

2. Upon perusal of the impugned order, it appears that the case of the petitioner was dismissed mainly on the ground of his jail conduct. The jail remarks produced on record indicates that in the year 2009, when the petitioner was enlarged on furlough leave, he had absconded for 1143 days. That appears to have weighed with the state authorities in rejecting the claim of the

petitioner for remission. However, as per the jail remarks itself, the said abscondence has already been regularized by the concerned authority and the petitioner has also been punished for the said abscondence.

3. So far as the other incidents of misbehavior in the jail are concerned, those are very trivial in nature which should not entail rejection of the case of the petitioner for grant of remission.

4. Having regard to these aspects, the order impugned in the petition is quashed and set aside. The matter is remanded back to the concerned authority for taking decision afresh in accordance with law and without being influenced by the impugned order. Such exercise shall be carried out by the concerned authority within period of six months from the date of receipt of the present order. Rule is made absolute to the aforesaid extent.

Order in Criminal Misc. Application No.1 of 2026 in Special Criminal Application No.5838 of 2026

In view of the order passed in the main petition, the present application stands disposed of.

AHS

(M. R. MENGDEY,J)