

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR ANTICIPATORY BAIL) NO. 10521
of 2026

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VANSH ALPESHKUMAR JARIWALA

Versus

STATE OF GUJARAT

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Appearance:

MR. KISHAN H DAIYA(6929) for the Applicant(s) No. 1

MR.BHASH H MANKAD(6258) for the Respondent(s) No. 1

MS DIVYANGNA JHALA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE D.N.RAY

Date : 08/05/2026

ORAL ORDER

1. Heard learned Advocate Mr. K.H. Daiya for the applicants and learned advocate Mr. B.H. Mankad for the respondent no.1 and learned Additional Public Prosecutor Ms. Divyangna Jhala on behalf of the respondent-State.

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

3. The present applicant having been arraigned as accused in the

FIR bearing C.R. No.11210060260435/2026 registered with Varachha Police Station, Surat for the offences punishable under Sections 316(5), 61 of the BNS Act, 2023, has approached this Court inter alia seeking for anticipatory bail.

4. Learned advocate Mr. B.H. Mankad submits that a financial settlement has taken place between the complainant and the accused and the affidavit dated 08.05.2026 has been handed over where, it is observed in para 3 as under:

“ 3. I say and submit that in view of this amicable settlement I have no objection if this Hon'ble Court be pleased to release the present petitioner on anticipatory bail. I am filing this affidavit on my free will and wish without there being any undue threats or pressure.”

5. On the other hand, learned APP Ms. Divyangna Jhala vehemently opposed grant of anticipatory bail on the ground that there are at least ten antecedents against the father of the applicant.

6. The aforesaid objection taken on the part of learned APP Ms. Divyangna Jhala is rejected on the ground that no antecedents on the part of the applicant could be pointed out and merely because the father of the applicant has a chequered history that would not, ipso facto, impel this Court to reject this application, more particularly, in view of the affidavit provided by the complainant himself. Resultantly, the present application is allowed.

7. In this view of the matter and considering the law laid down by the Hon'ble Apex Court in the case of **Siddharam Satlingappa Mhetre v. State of Maharashtra and Ors.** reported in (2011)1 SCC **694**, this Court is inclined to consider this application.

8. In the result, the present application is allowed by directing that in the event of applicant herein being arrested pursuant to the FIR No. C.R. No. No.11210060260435/2026 registered with Varachha Police Station, Surat, the applicant shall be released on bail on furnishing a personal bond of **Rs.10,000/- (Rupees Ten Thousand only)** each with one surety of like amount, on the

following conditions:

- (a) shall cooperate with the investigation and make themselves available for interrogation whenever required;
- (b) shall remain appear before the Investigating Officer on 14.05.2026 between 11:00 a.m. and 2:00 p.m.;
- (c) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (d) shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the Police;
- (e) shall at the time of execution of bond, furnish the address to the Investigating Officer and the Court concerned and shall not change their residence till the final disposal of the case or till further orders;
- (f) shall not leave India without the permission of the Court and, if having passports shall surrender the same before the Trial Court within a week.

(g) shall mark his presence once a month for a period of three months before the concerned police station.

9. At the trial, the Trial Court shall not be influenced by the prima facie observations made by this Court, while enlarging the applicant on bail. Rule is made absolute to the aforesaid extent.

Direct service is permitted.

(D.N.RAY,J)

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