

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 13504 of 2026**

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SUMITBHAI HAKUBHAI KHAVADIYA @SAVALIYA
Versus
STATE OF GUJARAT

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Appearance:

MR.MINHAJ M SHAIKH(6847) for the Applicant(s) No. 1

MR HARDIK MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 17/06/2026

ORDER

1. Heard learned advocate for the applicant and learned APP for the respondent State.

2. During the course of hearing, this Court posed a specific query regarding the T.I. parade and the circumstances or material qua involvement of the present applicant-accused.

2.1. The concerned P.I., Mr. K.S. Danger failed to explain the same. Not only that, when he was asked to produce the case diary to demonstrate the material collected during the investigation, he is unable to produce the same as having no case diary.

2. It is needless to state that, while attending the Court during the hearing of a bail application, it is the duty of the concerned Investigating Officer to remain present with all relevant materials, investigation papers, and the case diary also whenever

he is directed to remain present by the Court or instructed by the learned APP to assist him.

3. In the present case, the concerned Investigating Officer has failed to point out any circumstances under which the present applicant came to be arraigned as an accused. Admittedly, the applicant was not named in the FIR initially. Moreover, despite specific queries raised by this Court, the Investigating Officer appeared without preparation of the case diary and unable to point out any material justifying the implication of the present applicant in the offence.

3. In view of the above, re-list on 19.06.2026.

4. Let a copy of this order be communicated to the Superintendent of Police, Amreli through fax for necessary compliance. The concerned Investigating Officer is directed to remain present before this Court along with and all relevant papers and materials to demonstrate the involvement of the present applicant, without fail.

KUMAR ALOK

(HASMUKH D. SUTHAR,J)