

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 9312 of 2025**

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GIRISH KANTIBHAI PATEL
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR VIRAT G POPAT(3710) for the Applicant(s) No. 1
MR HARNISH V DARJI(3705) for the Respondent(s) No. 2,3
MR KANVA ANTANI, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 03/02/2026****ORAL ORDER**

1. By filing the present petition under Article 226 of the Constitution of India, the petitioner has prayed for the following relief:

“(a) To allow this petition;

(b) To issue appropriate writ, order or direction directing the concerned respondents to immediately process Police Clearance Certificate application filed by the present petitioner for the purpose of immigration process of the petitioner under Application Reference No. (ARN): 25-0006348444 dated 06th May 2025 pending before the concerned respondent;

(c) To direct concerned respondent to process and allow all necessary permission for the immigration purpose and pass all effective orders in that regard as the proceedings of Criminal Case No. 18407 of 2022 in connection with FIR being CR No.11191020220403 of 2023 registered with Vastrapur Police Station, Ahmedabad is stayed by this Hon'ble Court;

(d) Pending admission, hearing and final disposal of this petition, to direct the concerned respondents to immediately process Police Clearance Certificate application filed by the present petitioner for the purpose of immigration process of the petitioner under Application Reference No. (ARN): 25-0006348444 dated 06th May 2025 pending before the concerned respondent;

(e) Pending admission, hearing and final disposal of the present petition, direct concerned respondent to process and allow all necessary permission for the immigration purpose and pass all effective orders in that regard as the proceedings of Criminal Case No.18407 of 2022 in connection with FIR being CR No.11191020220403 of 2023 registered with Vastrapur Police Station, Ahmedabad is stayed by this Hon'ble Court;

(f) To pass any other and further orders as may be deemed fit and proper to this Hon'ble Court."

2. Learned advocate appearing for the petitioner submits that the FIR came to be registered against the petitioner herein for an offence punishable under Sections 307, 406, 420, 498(A), 323, 506(2), 294(b) and 120(B) of the Indian Penal Code. Thereafter, the petitioner was ordered to be enlarged on bail in connection with the said offence upon certain conditions, one of the conditions being for deposit of the passport. Thereafter, since the petitioner was desirous of traveling abroad, he had submitted an application for modification of condition in question. The learned Sessions Court vide order dated 15.05.2025 had modified the aforesaid condition to enable the petitioner to undertake the travel and the condition in question was ordered to be suspended for a period commencing from 20.05.2025 to

30.04.2026. However, since the petitioner wanted to travel Australia, he had applied for VISA for the same and the requirement for Police Clearance Certificate was raised by the concerned Embassy for grant of VISA to the present petitioner. However, concerned Police authorities have not taken any decision with regard to issuance of Police Clearance Certificate in case of the petitioner.

3. Having regard to these aspects, the concerned police authority shall take appropriate decision as regards issuance of Police Clearance Certificate to the petitioner for enabling him to obtain VISA for the Australia as expeditiously as possible preferably within period of two weeks from the date of receipt of the present order.

4. With these observations, the present petition stands disposed of.

Direct Service is permitted.

(M. R. MENGDEY,J)

AHS

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMIT SONAGARA(HCD0079), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 04/02/2026 17:45:24