

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR MODIFICATION OF ORDERS)
NO. 16864 of 2026**

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KISHANBHAI MANOJBHAI SAVSANI PROP MADHUSUDHAN
ENTERPRISE
Versus
STATE OF GUJARAT

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Appearance:

MR. VISHAL P THAKKER(7079) for the Applicant(s) No. 1
MR RONAK RAVAL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 23/07/2026

ORDER

1. **RULE.** Learned APP waives service of notice of rule on behalf of respondent-State.

2. By way of the present application, the applicant is seeking deletion of condition No.(3) of the order dated 04.06.2026 passed in Criminal Misc. Application No.446 OF 2026 passed by the learned Sessions Judge, Junagadh while enlarging the applicant – accused on regular bail in connection with FIR being CR No.11203025250919 of 2025 registered with Junagadh Taluka Police Station, Junagadh.

2.1. Condition No. 3 imposed vide order dated 04.06.2026 reads as under:

“The accused/applicant shall mark his presence before the Investigating Officer on every Monday between 11:00 a.m. and 5:00 p.m. for a period of eight months from the date of his release on bail.”

3. Learned advocate for the applicant submitted that the applicant has fully cooperated with the investigation, has undergone police remand, and the charge-sheet has already been filed. Therefore, his monthly physical presence before the Investigating Officer is no longer necessary. It is further submitted that the case is based on documentary evidence, which is already

in the custody of the investigating agency, leaving no possibility of tampering with such evidence.

3.1. It is further submitted that the applicant is a permanent resident and businessman at Valsad. Requiring him to travel approximately 592 kilometres one way (about 1,200 kilometres for a round trip) every month to Junagadh causes undue hardship and imposes an onerous burden. It is submitted that the applicant has no criminal antecedents, and there is no allegation that he has violated any condition of bail, attempted to abscond, influenced any witness, or failed to cooperate with the investigation..

3.2. Learned advocate for the applicant further submitted that the impugned condition has no nexus with the object of bail, as the investigation has substantially concluded. It is submitted that the applicant has cooperated with the investigation and his presence before the Investigating Officer every month is no longer necessary. It was further submitted that the condition causes undue hardship to the applicant, adversely affects his business and livelihood, and serves no useful purpose.

3.3. It is further submitted that the applicant is ready and willing to comply with any reasonable alternative condition, including marking his presence before the nearest police station at Valsad or appearing before the Investigating Officer whenever called upon with reasonable prior notice. It is, therefore, urged that, in view of the settled legal position that bail conditions must be reasonable and not unduly onerous, Condition No. 3 deserves to be deleted or suitably modified in the interest of justice.

4. Learned APP has opposed the present application and submitted that if condition is deleted, then there is possibility of jump the trial and he has requested to dismiss the present application.

5. Taking into consideration the ground urged in this application since the charge-sheet is filed, present application is partly allowed. Condition (3) of the order dated 04.06.2026 in Criminal Misc. Application No.446 OF 2026

passed by the learned Sessions Judge, Junagadh is hereby deleted. Rule is made absolute accordingly. Direct Service is permitted.

KUMAR ALOK

(HASMUKH D. SUTHAR,J)