

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 9791 of
2026****=====**
MANISHKUMAR SHIVLAL CHAUHAN THRO KRISHNA MANISH CHAUHAN
Versus
STATE OF GUJARAT & ORS.
=====**Appearance:****MR PM LAKHANI(1326) for the Applicant(s) No. 1**
MRS R P LAKHANI(3811) for the Applicant(s) No. 1
MR UTKARSH SHARMA, APP for the Respondent(s) No. 1
=====**CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
and
HONOURABLE MR. JUSTICE UTKARSH THAKORBHAI
DESAI**Date : 13/07/2026**
ORAL ORDER**(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

Mr.PM Lakhani, learned Advocate appearing for the petitioner submitted that the arrest of the petitioner is against the provisions of law inasmuch as, the petitioner is charged with the offence under section 75(2) of the Bhartiya Nyay Sanhita, 2023 for which the punishment is less than seven years and hence, issuance of notice to the accused person is mandatory, which is missing in the present case.

2. Mr.Utkarsh Sharma, learned Additional Public Prosecutor requests for time so as to take instructions.

3. List the matter on 27.07.2026.

(SANGEETA K. VISHEN,J)**(UTKARSH THAKORBHAI DESAI, J)**

SINDHU NAIR