

ITEM NO.29                      Court 1 (Video Conferencing)                      SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).3325/2021

(Arising out of impugned final judgment and order dated 17-02-2021 in CRLMA No.19910/2020 passed by the High Court of Gujarat at Ahmedabad)

BABUBHAI DEVJIBHAI GABANI

Petitioner(s)

VERSUS

THE STATE OF GUJARAT

Respondent(s)

IA No.67185/2021 - EXEMPTION FROM FILING O.T.

IA No.56106/2021 - EXEMPTION FROM FILING O.T.

IA No.67184/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 23-07-2021 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s)      Mr. Dillip Kumar Nayak, Adv.  
                                 Mr. D.N. Ray, Adv.  
                                 Mr. Ankit Pandya, Adv.  
                                 Ms. Disha Ray, Adv.  
                                 Mrs. Sumita Ray, AOR

For Respondent(s)      Ms. Aastha Mehta, Adv.  
                                 Mr. Aniruddha P. Mayee, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The Court is convened through Video Conferencing.

This petition is directed against order dated 17.02.2021 passed by the Gujarat High Court whereby the High Court dismissed the regular bail application of the petitioner herein.

Heard learned counsel appearing on behalf of the petitioner as also the learned counsel appearing on behalf of the respondent-State and carefully perused the material placed on record.

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Although learned counsel appearing on behalf of the respondent-State vehemently opposed the prayer for granting bail to the petitioner herein yet taking into consideration the fact that the petitioner is a doctor, who has suffered incarceration for more than nine months, we think it is a fit case to grant bail to the petitioner herein.

The petitioner is, accordingly, directed to be enlarged on bail on terms and conditions to be imposed by the trial court.

However, in case the petitioner does not cooperate with the trial or attempts to tamper with the evidence or influence the witnesses, the respondent - State would be at liberty to move an application seeking cancellation of bail granted to the petitioner herein.

The special leave petition stands disposed of accordingly.

As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)  
DEPUTY REGISTRAR

(R.S. NARAYANAN)  
COURT MASTER (NSH)