



ITEM NO.1

COURT NO.4

SECTION II-E

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

Criminal Appeal No(s). 386/2018

RAMESHBHAI SHANKARBHAI VAGHARI

Appellant(s)

VERSUS

THE STATE OF GUJARAT

Respondent(s)

[ONLY PRAYER FOR BAIL IN CRL. APPEAL NO. 2082/2026 IS LISTED UNDER THIS ITEM.]

WITH

CrI.A. No. 2082/2026 (II-E)

Date : 30-04-2026 This appeal was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) : Mrs. Sumita Ray, AOR  
Mr. Shushil Shukla, Adv.  
Ms. Disha Ray, Adv.  
Mr. Piyush Wadhwa, Adv.  
Ms. Vriddhi Bhatt, Adv.

Ms. Pinky Behera, AOR  
Mr. Davies, Adv.

For Respondent(s) :Ms. Swati Ghildiyal, AOR  
Mr. Nimesh Bhatt, Adv.

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

Criminal Appeal No. 2082/2026

This appeal challenges the order dated 12.04.2016 passed by the High Court of Gujarat at Ahmedabad, in Criminal Appeal No. 797/2011, whereby the appellant's

appeal against the conviction order of the Trial Court dated 04.04.2011 was dismissed.

The appellant faced trial in connection with a crime registered pursuant to FIR No. 21/2009 dated 03.03.2009 lodged with P.S. Kapadvanj Police Station, in respect of the offences punishable under Sections 143, 147, 148, 302, 323, 324 r/w 149 of the Indian Penal Code, 1860 [in short "IPC"]. The trial court *vide* judgment and order dated 04.04.2011 in Sessions Case No.75/2009 convicted the appellant and others for the offences punishable under Sections 143, 147, 148, 302, 323, 324 r/w 149 of the IPC and awarded the sentence of life imprisonment.

The appellant, being aggrieved by the order of conviction passed by the trial court, filed Criminal Appeal No. 797/2011 before the High Court which was dismissed *vide* impugned judgment dated 12.04.2016. Aggrieved, the present Criminal Appeal No.2082/2026 has been filed by the appellant herein.

This Court, *vide* its order dated 24.02.2026, issued notice in the instant matter and further observed:

"1. The petitioner being in custody, delay of 3500 days in filing the petition is condoned.

2. Learned counsel for the petitioner has referred to an order dated 12.03.2018 passed by this Court in SLP(Crl.)No.8272/2016 whereby leave has been granted to the co-accused arising out of common judgment of the High Court in the

same FIR.

3. Issue notice to the respondent, returnable on 21st April, 2026.

4. Mr. Apoorva Anand, learned counsel accepts notice on behalf of the State.

5. Counter affidavit, if any, be filed before the next date of hearing."

During the pendency of the SLP (Crl.) No.8272/2016, the appellant has filed the present SLP(Crl) No. 3874 of 2026 before this Court seeking suspension of sentence and grant of bail during the pendency of the said criminal appeal.

This Court, vide its order dated 21.04.2026, observed:

"1.Learned counsel for the petitioner submits that in the connected SLP(Crl.)No.8272/2016 leave has been granted, whereafter it has been numbered as Criminal Appeal No.386/2018.

2. Leave granted.

3. Tag with Criminal Appeal No.386/2018.

4. Learned counsel for the appellant prays for bail. List for consideration of the bail prayer next week."

We have heard learned counsel for the appellant and learned counsel for the respondent/State and perused the material on record.

Learned counsel for the appellant submitted that the appellant has completed twelve years and four months in jail. This Court has granted leave in this case and the appeal is pending consideration; that the appellant has a good case on merits. Since the appeal is of the year 2026, the adjudication of the same would take some time. Further, in Criminal Appeal No.386/2018 arising out of SLP(Crl.)No.8272/2016 arising out of the very same proceeding, the appellant therein/accused no.3 has been granted bail pending disposal of the appeal. A similar order may be made in this appeal also.

Learned counsel for the respondent/State submitted that having regard to the facts and circumstances of this case, appropriate order may be made.

Considering the facts on record, in our view, the case for suspension of sentence is made out.

We, therefore, allow the prayer for interim relief and direct as under:

"The appellant shall be produced before the concerned trial Court as early as possible and the trial Court shall release him on bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings."

It is directed that the appellant shall extend complete cooperation in the hearing of the appeal before this Court. The appellant shall not misuse his liberty in any manner.

Any infraction of the conditions may entail cancellation of the suspension of sentence and bail granted to the appellant.

(NEETU SACHDEVA)  
DEPUTY REGISTRAR

(DIVYA BABBAR)  
COURT MASTER (NSH)