

**(2025) 12 GUJ CK 0005**

**Gujarat High Court**

**Case No:** R/Criminal Misc.Application (For Anticipatory Bail) No. 23391 Of 2025

Jay Kalpesh Masrani & Anr

APPELLANT

Vs

State Of Gujarat

RESPONDENT

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**Date of Decision:** Dec. 11, 2025

**Hon'ble Judges:** Utkarsh Thakorbhai Desai, J

**Bench:** Single Bench

**Advocate:** Pravin Gondaliya, Bhishma A. Rawal, C.M.Shah

**Final Decision:** Disposed Of

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### **Judgement**

Utkarsh Thakorbhai, J

Learned advocate for the applicant, under instructions, states that the applicant is ready and willing to join the investigation, and will appear before the investigating officer on 18.12.2025.

Having considered the submissions and the documents produced on record, the Investigating Officer is directed to scrupulously follow the proposition of law as settled by the Hon'ble Supreme Court in the case of Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273, in case of Satender Kumar Antil Vs. Central Bureau of Investigation & Anr., reported in (2022) 10 SCC 51 and in case of Md. Asfak Alam Vs. State of Jharkhand & Anr., reported in 2023 SCC OnLine SC 892 and also inform about the grounds of arrest, if needed, to learned Magistrate and even the learned Magistrate before mechanically authorizing the detention of the applicant shall follow the dictum of the Hon'ble Supreme Court in the aforesaid decisions.

If at all, the Investigating Officer, upon conclusion of the application, deems it fit to register the FIR, then in that case the applicant shall remain present with all the documents before the Investigating Officer and thereafter also, if the Investigating Officer calls the applicant to remain present, the applicant would cooperate with the Investigating Officer as and when required. In case, the Investigating Officer needs to arrest the applicant, notice of 7 days shall be given to the applicant prior to such

arrest.

In view of the above, the present application stands disposed of. Direct service is permitted.