

**(2025) 12 GUJ CK 0035**

**Gujarat High Court**

**Case No:** R/Criminal Misc.Application (For Regular Bail - Before Chargesheet) No. 26525 Of  
2025

Lalitbhai Maganbhai Parmar

APPELLANT

Vs

State Of Gujarat

RESPONDENT

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**Date of Decision:** Dec. 17, 2025

**Acts Referred:**

- Bharatiya Nagarik Suraksha Sanhita, 2023-Section 483
- Indian Penal Code, 1860-Section 114, 294(b), 306, 406, 420, 506(1)

**Hon'ble Judges:** Nikhil S. Kariel, J

**Bench:** Single Bench

**Advocate:** Nisha M Parikh, Aditya Jadeja

**Final Decision:** Allowed

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**Judgement**

Nikhil S. Kariel, J

1. Heard learned advocate Ms. Nisha M. Parikh appearing on behalf of the applicant and learned Additional Public Prosecutor Mr. Jadeja appearing on behalf of the respondent-State.

1.1 Learned Advocate Mr. Bhunesh Rupera submits that he has instructions to appear on behalf of the original complainant and that he may be permitted to file his Vakalatnama. Permission is granted.

2. Rule. Learned APP waives service of rule on behalf of the respondent-State.

3. The applicant has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for enlarging the applicant on Regular Bail in connection with FIR being C.R. No. 11192017250386 of 2025 registered with Detroj Police Station, District Ahmedabad Rural, for the offence punishable under Sections 306, 406, 420, 294(b), 506(1) and 114 of the Indian Penal Code.

4. Learned advocate for the applicant would submit that considering the role attributed to the applicant, and nature of the allegation levelled, the applicant may be enlarged on regular bail. It is further contended that the applicant is ready and willing to abide by all the conditions that may be imposed by this Court if released on bail.

5. As against the same, learned Additional Public Prosecutor appearing for the respondent State has vehemently objected to the grant of regular bail. Learned APP has submitted that looking to the nature of offence and the role attributed to the present applicant as coming out from the affidavit of the Investigating Officer, this Court may not exercise the discretion in favour of the applicant and the application may be dismissed.

6. I have heard learned advocates appearing on behalf of the respective parties and perused the papers. Following aspects are considered:-

i. The fact of the allegations levelled in the FIR not specifically stating about any incitement by the applicant to the deceased to commit the act in question.

ii. The allegation in the FIR, and as per the investigation, revealing that the present applicant and his wife, did not honour their commitment to the deceased to transfer their property in the name of the deceased inspite of having taken money for the same.

iii. The allegation in the FIR and the investigation not pointing out to any abetment or incitement committed by the present applicant, more particularly which would have induced the deceased to commit the unfortunate act in question.

This Court has taken into consideration the law laid down by the Honble Apex Court in the case of Sanjay Chandra v. Central Bureau of Investigation reported in [2012] 1 SCC 40.

7. In the facts and circumstances of the case and considering the nature of the allegations made against in the First Information Report, without discussing the evidence in detail, prima facie, this Court is of the opinion that this is a fit case to exercise the discretion and enlarge the applicant on regular bail.

8. Hence, the present application is allowed. The applicant is ordered to be released on bail in connection with F.I.R. registered as C.R. No. 11192017250386 of 2025 registered with Detroj Police Station, District Ahmedabad Rural, on executing a bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that he shall;

[a] not take undue advantage of liberty or misuse liberty;

[b] not act in a manner injurious to the interest of the prosecution;

[c] surrender passport, if any, to the lower court within a week;

[d] not leave the State of Gujarat without prior permission of the Sessions Court concerned;

[e] furnish the present address of residence to the I.O. and also to the Court at the time of execution of the bond and shall not change the residence without prior intimation to the I.O.;

[f] mark presence once a month for a period of six months before the concerned police station.

9. The Authorities will release the applicant only if he is not required in connection with any other offence for the time being. If breach of any of the above conditions is committed, the Sessions Court concerned will be free to take appropriate action in the matter.

10. Bail bond to be executed before the lower court having jurisdiction to try the case. It will be open for the concerned Court to delete, modify and/or relax any of the above conditions in accordance with law.

11. At the stage of trial, the trial court shall not be influenced by any observations of this Court which are of preliminary nature made at this stage, only for the purpose of considering the application of the applicant for being released on regular bail.

12. The application is allowed in the aforesaid terms. Rule is made absolute to the aforesaid extent. Direct service is permitted.