

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL MISC.APPLICATION (FOR ANTICIPATORY BAIL) NO. 5522
of 2026**

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SADHU FALGUNI MITESHKUMAR
Versus
STATE OF GUJARAT

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Appearance:

MR. BAKUL S PANCHAL(3676) for the Applicant(s) No. 1
MS MANSI S PANCHAL(12033) for the Applicant(s) No. 1
MR. CHINTAN DAVE, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL**Date : 08/04/2026****ORAL ORDER**

1. Rule. Learned Additional Public Prosecutor waives service of Rule for the respondent – State.
2. By way of this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short*, “BNSS”), the applicant has prayed for anticipatory bail in the event of arrest in connection with the FIR being C.R. No. 11206020260116 of 2026, registered with Kadi Police Station, District: Mahesana, for the offences punishable under Sections 316(2), 318(2), 318(4), 319, 336(2), 340, 351(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The learned advocate Mr. Bakul S. Panchal for the applicant would submit that the present applicant is falsely implicated in the present case with malicious intention. He would further submit that the applicant had no knowledge of the alleged offence. He would



also submit that, the complaint is filed on the basis of wrong allegations and narrated story as the incidence taken place between 22.1.2025 to 01.02.2026, however, the complaint is registered on 01.02.2026, which is delayed and reason for such delay is not mentioned in the complaint. He would also submit that accused Nos.1 and 2 are husband and wife, whereas the present applicant is studying LL.B. - last semester and working as Junior Intern and regularly following the rules and regulation of the Bar Counsel of Gujarat and she never presented her Vakalatnama before any court nor she appeared in any court of law. The present applicant is performing revenue work and work related to documents. Learned advocate would further submit that brother-in-law of the present applicant is an advocate and applicant is handling revenue work of her brother-in-law. He would further submit that in the present case, the applicant is having an intention to refer the case to help the complainant to short out his dispute, under such circumstances, it cannot be said that the applicant is involved in the alleged crime. Even otherwise, reading of the FIR, it would be clear that the applicant had asked the complainant to handover the fees after completion of the case, since the complainant did not want to give the fees of the case with intention that the present applicant is junior lady advocate, has lodged the false complaint. Learned advocate also submit that the notice under Section 35(3) of the BNSS has issued. That, bare perusal of the FIR, it appears that money is demanded by the accused No.1 and no role is attributed by the present applicant



nor she is having knowledge about the said transaction. That, even as per the say of the FIR, the complainant has given the amount of Rs.3,27,000/- with intention to abuse the process of law and get benefited from the legal consequences, and further stated in the FIR that he paid in cash, however, the complainant wrongly mentioned that he gave the amount to the accused in fear given by the accused. Learned advocate would lastly submit that complainant has filed the complaint by presenting the false facts, and thus, argued to allow the present anticipatory bail application.

4. *Per contra*, learned Additional Public Prosecutor Mr. Chintan Dave appearing for the respondent - State vehemently opposed grant of anticipatory bail application of the present applicant and would submit that identity card issued by the Bar Counsel of State of Gujarat with enrollment number in the name of the present applicant, name plate of the present applicant as an advocate of the Supreme Court of India, seals of various police stations, case register, seals which are used by notary and notarial register, calender reflecting the name of present applicant as an advocate and also hand beg reflecting the name of present applicant as an advocate of the High Court carrying mail address, WhatsApp address and also WhatsApp phone number are also found during the investigation. He would further submit that the statements of various other persons who have come forward after lodging of the present FIR have also been taken and in all till today sum of Rs.80,00,000/- are siphoned by the present applicant and other accused named in FIR. Thus, it is argued



that prima facie case against the present applicant is surfaced on record during the investigation, which need custodial interrogation, and for further detailed investigation into the alleged act of the present applicant and involvement, argued to reject the present application.

5. Heard, the learned advocates for the respective parties. This Court has gone through the FIR, memo of application as well as papers of Investigation. *Prima facie*, it appears that while conducting panchanama at the Shop No.7D at Ground Floor in Narmada Plaza at Kadi and at the residence of Jadavjibhai i.e. the husband of the present applicant, at the same day, the visiting card reflecting name of the present applicant as an advocate is recovered; though the applicant is yet to complete her third year of LL.B., the card alleged to have been issued by the Bar Counsel of Gujarat with enrollment No.G/356-F/2019 in the name of the applicant is recovered; the register entering the case details is recovered; the board reflecting the name of the present applicant as an advocate of Supreme Court of India is also recovered; Kalol Taluka Police Station seals as well as the seals to utilize for notary and notarial register are also recovered. The various statement of other victims are also surfaces during the investigation. It transpires that a noble profession of advocacy cannot be allowed to be tarnished in such a like manner. Thus, custodial interrogation would be required to reach to the roots of the alleged offence and involvement of the other persons, if any,



and to trace out other victims' in all sum of Rs.80,00,000/- which is alleged to have been swindled by all the accused in connivance with one another. Thus, tested on the annual of the principles laid down by the Constitution Bench in the case of ***Shri Gurubaksh Singh Sibbia & Others, reported in (1980) 2 SCC 665***, no case is made out for grant of anticipatory bail to the present applicant.

6. Under the circumstances, this Court does not find any exceptional ground to exercise discretionary jurisdiction under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023, hence, the present application stands rejected. Rule discharged.

7. Learned advocate for the applicant, at this juncture, states that the present order may be stayed since he wants to challenge this order before Hon'ble Supreme Court. In view of the facts and circumstances of the case, the said request is rejected.

NITIN MAKWANA

(P. M. RAVAL, J)