

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC. APPLICATION NO. 8266 of 2020**

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SHAH VIJAYBHAI ARVINDBHAI

Versus

STATE OF GUJARAT

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Appearance:

MR. N.D. NANANAVI, SENIOR ADVOCATE WITH MR ASHISH M DAGLI,
ADVOCATE (2203) for the Applicant(s) No. 1

MS MOXA THAKKAR, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MS. JUSTICE BELA M. TRIVEDI**

Date: 22/06/2020

ORAL ORDER

1. In the present application, filed by the applicant seeking an anticipatory bail under Section 438 of Cr. P.C., notice was issued by this Court on 15.6.2020 making it returnable on 22.6.2020 i.e. today.
2. However, an unprecedented incident occurred in the sense that today at 8.55 a.m., the undersigned received a call on her mobile allotted to her by the High Court, from the mobile. Since it was an unknown number, the undersigned was a little hesitant to pick up the call, however, after a while, it was picked up, and the person calling stated that he was Niranjana Patel, MLA, Petlad. When the undersigned asked him as to why he had made the call, he said that there was one

Criminal case listed today. At that point of time, the undersigned immediately stopped him and told him that he could not have called the undersigned like this, and disconnected the phone. Thereafter, the said person again made three calls one after the other, however, they were not picked up. Immediately thereafter at 9 a.m., a message in English script was sent from the said mobile number, stating that the Criminal Case No.8266 of 2020 Vijaybhai Arvindbhai .. ma aje muddat che, (is fixed today). Since the undersigned was disturbed and furious receiving the said call, she requested the Registrar (I.T.) of High Court to make inquiry as to in whose name the said mobile number was registered. He intimated the undersigned that from the Truecaller, it appears that the said number belongs to one "Tosif Faiz Xerox", having Vodefone connection.

3. When the matter was called out for hearing today through video conferencing, the Court asked Mr.Dagli as to when did he speak to his client last, and Mr.Dagli stated that he spoke to his client lastly on Friday i.e. on 19.6.2020. The Court thereafter asked him to take instructions as to who Mr. Niranjana Patel was and how he was connected with the applicant. The matter was kept back for half-an-hour. When the hearing was resumed after half-an-hour, the learned advocate Mr. Dagli along with the learned Sr. Advocate Mr. Nirupam D. Nanavaty, appeared. Mr.

Dagli stated that as such the applicant has no connection with the Mr. Niranjn Patel, however, Mr. Niranjn Patel is very much interested to see that the petitioner is arrested, and Mr. Patel had also approached Dy. S. P. for the arrest of the applicant.

4. Since, nobody can directly or indirectly try to approach the Court or to influence the Court, in a way try to pollute the stream of justice, it is necessary to obtain the details of the call made from the number registered with Vodafone. The Registrar (IT), Mr. Ashok Ukrani is requested to obtain the necessary details with regard to the registration/ownership of the said mobile number along with today's call details from Vodafone and intimate the Court by tomorrow i.e. 23.6.2020. Registrar (IT) may take assistance of the Registrar (Vigilance), if necessary to do so. Copy of the order be sent to the Registrar (IT), and Registrar (Vigilance), High Court.
5. Put up on 23.6.2020.

SINDHU NAIR

(BELAM. TRIVEDI, J)