



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO(S). _____ OF 2026
(@ SPECIAL LEAVE PETITION (CRL.) NO(S).9805/2026)**

DOLUBHAI VIHABHAI GOHIL

APPELLANT

VERSUS

STATE OF GUJARAT

RESPONDENT

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 17.11.2025 passed by the High Court of Gujarat at Ahmedabad in R/CMA (For Successive Regular Bail- After Chargesheet) No. 20968 of 2025.

The appellant herein has been booked for the crime registered pursuant to FIR No.11198025230065/2023 dated 01.03.2023 lodged with Police Station Jesar, Distt.Bhavnagar, with respect to offences punishable under Sections 8(b), 8(c) and 18(c) of the Narcotic Drugs & Psychotropic Substance Act, 1985.

An application seeking regular bail having been rejected by the High Court *vide* impugned order

dated 17.11.2025, the appellant has preferred the instant appeal.

By order dated 04.05.2026, this Court issued notice in the present appeal.

Heard learned counsel for the appellant in support of the appeal and learned counsel for the respondent-State, and perused the material on record.

Learned counsel for the appellant submitted that the maximum punishment under Sections 8(b), 8(c) and 18(c) of the NDPS Act is ten years only and the appellant has already been in jail since 04.03.2023 which is nearly three years and two months and the appellant has a good case on merits. In the circumstances, this Court may set aside the impugned order and grant bail to the appellant herein subject to the conditions that may be imposed. The appellant will cooperate with the ensuing trial. Learned counsel for the appellant also submitted that as many as forty six witnesses have to be examined and till date only six have

been examined and therefore, the trial would inevitably be delayed.

Per contra, learned standing counsel for the respondent-State with reference to the counter-affidavit submitted that there is no merit in this appeal and hence, the appeal may be dismissed.

In the circumstances, we find that the submissions of learned counsel for the appellant have to be accepted.

We, therefore, allow this appeal 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 arising out of FIR No.11198025230065/2023 dated 01.03.2023 mentioned above.”

It is directed that the appellant shall extend complete cooperation in the ensuing trial.

The appellant shall not misuse his liberty and shall not in any way influence the witnesses or tamper with the material on record.

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

With the aforesaid directions, the appeal is allowed.

....., J.
[B.V. NAGARATHNA]

....., J.
[UJJAL BHUYAN]

NEW DELHI
MAY 22, 2026

ITEM NO.16

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

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.)
NO(S).9805/2026

[ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED
17-11-2025 IN CMA NO. 20968/2025 PASSED BY THE HIGH
COURT OF GUJARAT AT AHMEDABAD]

DOLUBHAI VIHABHAI GOHIL

PETITIONER(S)

VERSUS

STATE OF GUJARAT

RESPONDENT(S)

IA No. 129288/2026 - CONDONATION OF DELAY IN FILING
IA No. 129289/2026 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT
IA No. 129290/2026 - EXEMPTION FROM FILING O.T.

Date : 22-05-2026 This matter was called on for hearing
today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Somesh Chandra Jha, AOR
Mr. Mahesh K. Poojara, Adv.
Mr. Mayank Gautam, Adv.

For Respondent(s) : Ms. Swati Ghildiyal, AOR
Mr. Adarsh Dubey, Adv.

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

Leave granted.

Appeal is allowed in terms of the signed

order, which is placed on file.

Pending application(s), if any, shall stand disposed of.

(B. LAKSHMI MANIKYA VALLI)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)