

CANADA / JUDGMENT

Panchal v. Canada

(Citizenship and Immigration)

2026 FC 231

COURT

Federal Court

DECIDED

18 February 2026

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20260218 Docket: IMM-5344-25 Citation: 2026 FC 231 Vancouver, British Columbia, February 18,
2026 PRESENT: The Honourable Mr. Justice A. Grant BETWEEN: JANKIBAHEN PRAVINKUMAR
PANCHAL TRISHA JANKIBAHEN PANCHAL Applicants and THE MINISTER OF CITIZENSHIP
AND IMMIGRATION Respondent JUDGMENT AND REASONS

- [1] The Principal Applicant [PA], Jankibahen Pravinkumar Panchal, and her minor daughter, Trisha Jankibahen Panchal, seek judicial review of the decision by the Refugee Appeal Division [RAD] of the Immigration and Refugee Board [IRB] rejecting their claims for refugee protection.
- [2] Ms. Panchal asserts two reasons why she fears returning to India.
- [3] The first is a fear of the police in Gujarat who she claims physically and sexually assaulted her while in detention. She was detained because she supported a friend whose brother was suspected of being involved with Muslim militants. After this incident, Ms. Panchal left India for the United States. She later gave birth to her daughter Trisha, and this gives rise to the second ground of her claim, which is that family members have threatened her for having a child out of wedlock.
- [4] The Refugee Protection Division [RPD] raised several credibility concerns, but ultimately rejected the Applicants' claims because it found they could safely relocate to the city of Bengaluru. The RAD confirmed these findings and dismissed the appeal.
- [5] The RAD addressed each of the grounds raised by the Applicants on appeal. While the Applicants point to various perceived shortcomings in the RAD decision, reasonableness review is not a "line-by-line treasure hunt for error": Canada (Minister of Citizenship and Immigration) v Vavilov, 2019 SCC 65 at para 102 [Vavilov]. I have read the RAD reasons holistically and have concluded that, on the whole, they disclose a rational chain of analysis. They are transparent, intelligible and reasonably justified: Vavilov at paras 100, 101, 103.

- [6] More specifically, it was open to the RAD to point to inconsistencies and frailties in the PA's evidence related to the ongoing visits of the Gujarati police to her parents' home. It was also open to the RAD to find that this evidence did not establish that these assailants would find her in the IFA location. While I do not necessarily share the RAD's concern over the similar wording between the Applicant's Basis of Claim form and the affidavit of her parents, this does not undermine the RAD's findings when read holistically.
- [7] As this Court has now found on numerous occasions, it was also open to the RAD to find that, based on the extra-judicial nature of the Applicant's detention over ten years ago, it was unlikely that her information was entered into India's national Crime and Criminal Tracking Network and System [CCTNS], or other related databases.
- [8] Furthermore, it was reasonable for the RAD to point out that the Applicant had not challenged two important aspects of the RPD findings.
- [9] The first unchallenged RPD finding was that Ms. Panchal had provided inconsistent and evolving testimony regarding the threats from her family, and that this element of her claim therefore lacked credibility.
- [10] The second unchallenged finding relates to the RPD's reasons for concluding that Bengaluru would not be an unreasonable IFA city for the Applicants. At the hearing into this matter, counsel for the Applicants rightly pointed out that the RAD has an independent obligation to assess the evidence in the record. On judicial review, however, another principle comes into play, which is that reasons are to be assessed, at least in part, on their responsiveness to the issues put before the administrative decision-maker. Taking these somewhat competing principles into account, the RAD's brief reasons explaining why it agreed with the RPD's much longer analysis on this issue were reasonable. Moreover, the Applicant's submissions in this regard amount in large measure to a request that I reweigh the evidence considered by the RPD and endorsed by the RAD. This is not the role of the Court on judicial review.
- [11] For these brief reasons, this application is dismissed. The RAD decision is reasonable.
- JUDGMENT in IMM-5344-25 THIS COURT'S JUDGMENT is that: The application for judicial review is dismissed. There is no question for certification and no order regarding costs.
- "Angus G. Grant" Judge FEDERAL COURT SOLICITORS OF RECORD DOCKET: IMM-5344-25 STYLE OF CAUSE: JANKIBAHEN PRAVINKUMAR PANCHAL AND TRISHA JANKIBAHEN PANCHAL v. THE MINISTER OF CITIZENSHIP AND IMMIGRATION PLACE OF HEARING: held by way of videoconference DATE OF HEARING: febRuary 12, 2026 JUDGMENT AND REASONS: GRANT J. DATED: February 18, 2026 APPEARANCES: Meryam Haddad For The Applicant Jacob Davidson For The Respondent SOLICITORS OF RECORD: Haddad Legal Justice Inc. Barrister and Solicitor Montréal, Quebec For The Applicant Attorney General of Canada Toronto, Ontario For The Respondent

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