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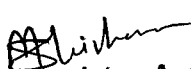
IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

M.Cr.C. No. 24475/2026

APPLICANT : State of Madhya Pradesh through
Police Station – Katara Hills,
District – Bhopal (M.P.).

versus

RESPONDENT : Smt. Giribala Singh,
W/o Late R.K. Singh,
Aged about 64 years,
Occupation – Retired Government
Servant,
R/o HIG-311, Baghmugaliya Extension,
Katara Hills, Bhopal (M.P.).

Presented on 21-05-26
By A. General

Presentation/Receiving Assistant

APPLICATION UNDER SECTION 483(3) OF THE BHARTIYA
NAGARIK SURAKSHA SAMHITA 2023
FOR CANCELLATION OF BAIL OF RESPONDENT

Particulars of Crime -

Crime No. : 133/2026
Police Station : Katara Hills, Bhopal (M.P.).
Offence u/s. : 80 (2), 85, 3(5) of BNS 2023 and
Section 3 & 4 of Dowry Prohibition Act
1961

Particulars of Impugned Order -

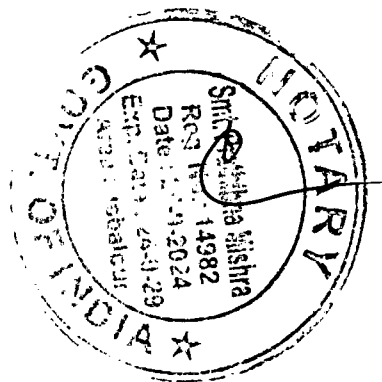
Bail Application/Case no. : B.A. No. 1485/2026 ✓
Name of the Judge : Smt. Pallavi Dwivedi, ✓
Designation of the Court : Xth Additional Session Judge
Place : Bhopal (M.P.). ✓
Date of the Order : 15.05.2026 ✓

The applicant/State respectfully submits as under:-

FACTS OF THE CASE

1. That, the respondent no. 2 has been granted bail in connection with the aforesaid crime vide impugned order

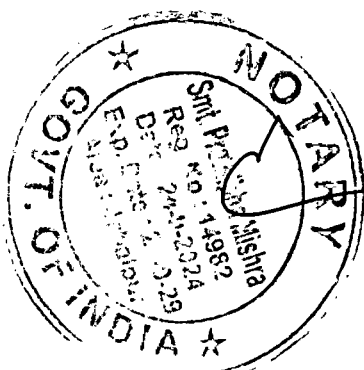
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dated 15.05.2026 and the same is filed herewith as **Annexure A-1.**

2. That, this first application seeking for cancellation of bail of respondent before this Hon'ble Court and no other application is either filed or decided before any other Court.
3. That, brief facts of the case are that Marg No. 13/2026 under Section 194 BNSS, 2023 was registered on information received from one Dr. Kartik of AIIMS Hospital, on 13.05.2026 at about 00:05 am, who informed that one patient namely Twisha Sharma was brought by her husband namely Samarth Singh to the hospital informing that on 12.05.2026 at about 10:20 pm patient has hanged herself. The patient was examined and declared dead. During the marg investigation post-mortem of deceased was received in which it was mentioned that death is due to ante-mortem hanging by ligature, multiple ante-mortem injuries simple in nature possible by blunt force are present over other parts of body. The family members of deceased including mother Smt. Rekha Rani, Brother Harshit Sharma and others got their statements recorded, who informed that the marriage of deceased was performed on 09.12.2025 by Hindu Rituals, during the marriage the family had given dowry to the family of Mr. Samarth Singh. The mother-in-law Girbala Singh had demanded Rs.2 lacs immediately at the time of marriage which were also given. However, after the marriage the husband and mother-in-law started to torture the deceased with demand of dowry. In April, 2026 deceased got pregnant and the husband and mother-in-law started to torture her by raising questions on the



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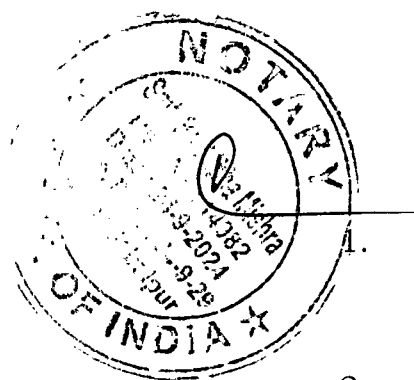
character of deceased, in May, 2026 they forced to abort the pregnancy. On 22.04.2026 mother and brother of deceased along with another family member had went to the matrimonial house of deceased to talk with the family who had assured that they will not assault the deceased. On 12.05.2026 at about 09:41 pm deceased had called her mother and over the telephone she had heard voice of Mr. Samarth Singh shouting after which the phone got disconnected and got switched off. Thereafter, the mother of deceased had tried to contact the husband and mother-in-law of deceased but they did not respond. At about 10:35 pm mother-in-law received the phone-call and when she was asked to handover the phone to deceased, she informed that deceased is no more. On the basis of material collected FIR in Crime No. 133/2026 was registered on 15.05.2026 at 02:36 am for offence punishable under Sections 80 (2), 85 & 3 (5) of BNS, 2023 and under Section 3/4 of Dowry Prohibition Act, 1961.

4. That, the respondent filed an application BA No. 1485/2026 before the learned 10th Additional Sessions Judge, Bhopal who vide order dated 15.05.2026, has allowed the anticipatory bail, hence this application is being filed on following grounds:-

GROUND S

1. For that, the learned Court below committed grave error of law as well as facts in passing order dated 15.05.2026.
2. For that, it appears that the learned Sessions Judge has granted the anticipatory bail without even once going through the contents of the WhatsApp chats between deceased and her parents. There are crystal clear

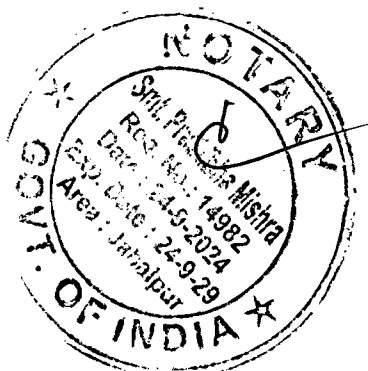
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allegations against the accused Giribala Singh as well as her son namely Samarth Singh. A bare reading of the WhatsApp chats would reveal the grave extent to which the deceased was continuously tortured by them. Hence, there was no prima facie case to grant anticipatory bail to the accused but the learned Court below has wrongly granted bail in a very mechanical manner without going through the prosecution evidence.

3. For that, the learned Court below has committed a grave error by overlooking statutory provisions of Section 118 of Bhartiya Sakshya Adhiniyam, 2023 wherein it is provided that if a woman dies within 7 years of her marriage under un-natural circumstances, the general presumption is against the husband and in-laws that they had caused her death.
4. For that, the anticipatory bail granted to the accused/respondent to be cancelled for the reason that she has been trying to tamper the evidence and obstruct investigation, as she has held a press conference on 18.05.2026 on the date when bail application of son of respondent/husband of deceased Samarth Singh was rejected.
5. For that, during the investigation police authorities had seized CCTV Footage of the house of respondent on 13.05.2026 which is part of investigation but the respondent who had already saved CCTV footage with herself, strategically in a manner to tamper prosecution evidence and obstruct investigation, leaked selected small clips of CCTV footage in social media.

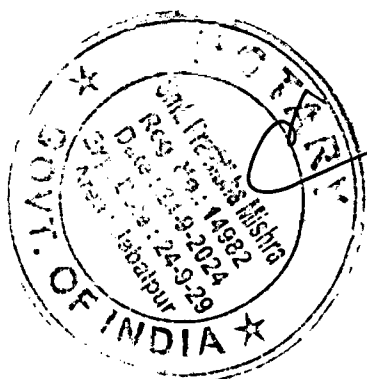


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6. For that, it is important to mention that the respondent/accused has not cooperated in the investigation as twice notices were issued to her by investigating officer on 13.05.2026 and 14.05.2026 for appearing to cooperate in the investigation but she did not turn up. Ignoring all these circumstances, the learned Trial Court granted her anticipatory bail ignoring the fact that she is not cooperating in the investigation. Apart from this, even after grant of anticipatory bail when notice was issued to her on 20.05.2026 via WhatsApp to question her at her house, she did not respond even after seeing the message. Later on, on 21.05.2026 when the Sub Inspector, Police Station Katara Hills, Bhopal went to her house, her servant Pankaj Jhariya told him that she was not available at home and refused to take the notice. Thus, it is apparent that she is not cooperating in the investigation and is blatantly violating the terms and conditions of order of grant of anticipatory bail and hence there are cogent and overwhelming circumstances to cancel the anticipatory bail granted to her. She is deliberately avoiding interrogation and gives evasive replies and refuses to comply with the investigation directions.

7. For that, the accused who is a judicial officer being a retired judicial officer who has served in the judiciary for more than 35 years knew very well that she was supposed to first immediately report the matter to the police as the police chowki Laharpur of Police Station Katara Hills is only about 100 meters from her house but she and her sons chose to take her at AIIMS Hospital and deliberately did not inform anyone at the Police Chowki which lead to tampering with the crime scene, as well as other evidence.

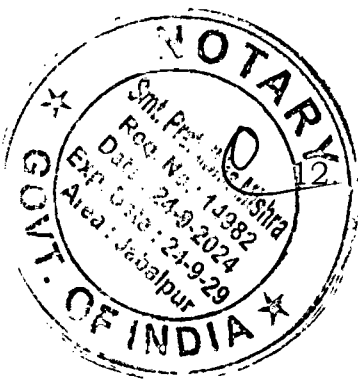


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Hence, the anticipatory bail granted to her is liable to be cancelled on this ground also.

8. For that, the learned Court below has granted bail to respondent mechanically on the very same day on which the FIR was registered by the prosecution agency.
9. For that, the learned Court below has failed to consider the fact that the FIR clearly mentions the allegations against the respondent which prima facie demonstrate reasonable apprehension against her that she has committed the offences alleged in the FIR.
10. For that, the FIR clearly mentions that the marriage of deceased had taken place on 09.12.2025 and her death took place in the night intervening 12/13.05.2026, i.e., within 5-6 months of marriage. It is clearly mentioned that respondent had made a demand of Rs.2 lacs at the time of marriage and she had tortured the deceased immediately after marriage.
11. For that, in the statement recorded by investigating agency, the family members of deceased namely Rekha Rani Sharma (mother), Harshit Sharma (brother) and Rashi Abrol (sister-in-law) have stated that immediately before the incident deceased had made a phone call to her family when they heard shout of husband of deceased after which her mobile phone got switched off, after that in about 50 minutes respondent had answered the phone call of family of deceased and informed that she was no more.

For that, on the date of incident the deceased had talked with her family over telephone on multiple occasions and

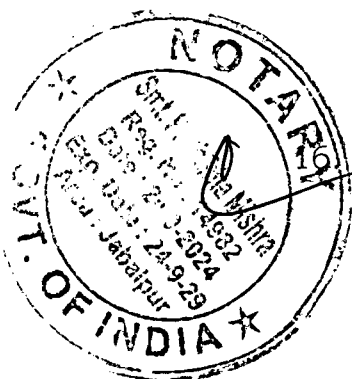


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immediately before the incident she had called at 09:41 pm when the family members heard shouts of Samarth Singh after which mobile of deceased got switched off. Thereafter the family tried to contact Samarth Singh and the present respondent on multiple occasion but they did not respond. At about 10:35 pm respondent picked up the call of sister-in-law of deceased and informed that deceased is no more.

13. For that, it is clearly established that at the time of incident respondent was present at the house, the death of a newly married lady took place within 5-6 months of marriage, therefore the application for anticipatory bail ought to have been rejected.
14. For that, the medical evidence collected so far in the investigation clearly establishes that the deceased had injuries over other parts of her body and ligature mark over her neck.
15. For that, during the investigation family members of deceased namely Smt. Rekha Rani Sharma (mother), Harshit Sharma (brother) and Smt. Rashi (sister-in-law) have stated that the husband Samarth Singh and mother-in-law Giribala Singh used to torture deceased immediately after marriage with demand of dowry and even harassed her by raising questions on her character. On 22.04.2026 they had visited the house of respondent and the husband had given a promise that he will not assault the deceased.

For that, from the statements of family members of deceased, it is informed that respondent and Samarth



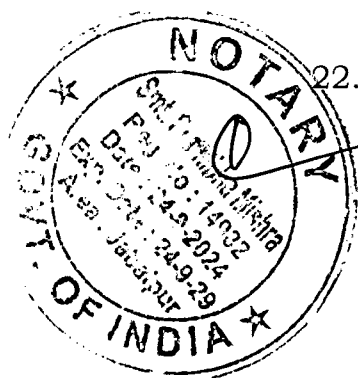
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Singh had pressurize the deceased to abort pregnancy of one month very recently in the first week of May, 2026.

17. For that, the learned Court below has committed a grave error by overlooking and ignoring material evidence available on record and has passed a perverse order.
18. For that, the learned Court below has granted benefit of anticipatory bail to the respondent contrary to the fundamental grounds and riding principles laid down in the case of **Gulbaksha Singh Sibbiya etc. vs. State of Punjab (1980) 2 SCC 565**.
19. For that, the learned Court below has committed grave error in allowing application for anticipatory bail contrary to the judgment of Hon'ble Apex Court rendered in the case of **Narendra K. Amin vs. State of Gujarat (2008) 13 SCC 584** wherein it is laid down that misdirection in law or a failure to consider the critical gravity of an offence makes a bail order legally vulnerable.
20. For that, the Hon'ble Apex Court in the case of **Daulatram vs. State of Haryana (1995) 1 SCC 349** has held that a vulnerable bail order that is passed by taking into consideration completely irrelevant components or skipping direct evidence on record must be axed in the interest of justice.
21. For that, all the reasons mentioned above the impugned order deserve to be recalled, quashed and set aside.
22. Applicant seeks liberty of this Hon'ble Court to raise other grounds during the course of arguments.

An affidavit in support is filed herewith.



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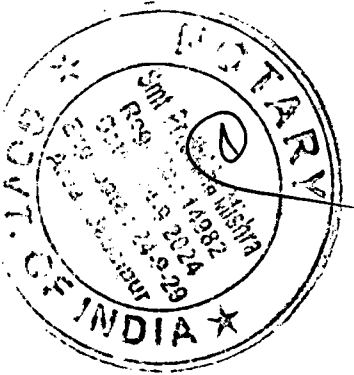
P R A Y E R

It is, therefore humbly prayed in the interest of justice, that this Hon'ble court may kindly be pleased to recall and quash the impugned order dated 15.05.2026 (Annexure A-1) whereby the anticipatory bail was granted to respondent, and this Hon'ble Court may further be pleased, in the interest of justice, to kindly pass directions for the arrest of the Non-Applicant/Respondent and commit her to custody.

PLACE: JABALPUR
DATE: ___/05/2026

Aravind
COUNSEL FOR APPLICANT/STATE

21 MAY 2026



IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

M.Cr.C. No. 24475 /2026

APPLICANT : State of MP

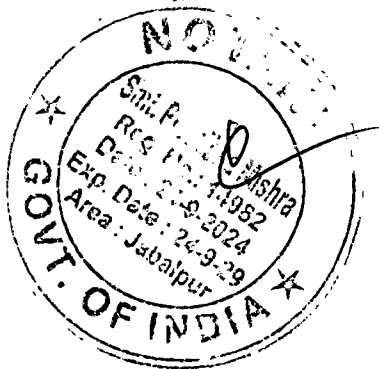
versus

RESPONDENT : Smt. Giribala Singh

AFFIDAVIT

I, Dr. Rajnish Kashyap, S/o Shri Ram Sakha Kashyap, aged about 35 years, presently posted and working as A.C.P. Misrod, District Bhopal (M.P.) & OIC of the case do hereby state on oath as under:

1. That the accompanying application seeking cancellation of bail has been drafted on my instructions and I have read & understood its contents.
2. That the contents of paras 1 to end of the attached application seeking cancellation of bail are based on information derived from official records which I believe to be true.



85328

ATTESTED
NOTARY
VERIFICATION P.

DEPONENT

I, Dr. Rajneesh Kashyap, the above named deponent, do hereby verify that the contents of paras 1 and 2 of above affidavit are true to my personal knowledge.

Verified and signed on this 21st day of May, 2026 at Jabalpur.

21 MAY 2026

Deel

Before me on this 21st day of May, 2026 at

By Dr. Rajneesh Kashyap S/o Shri Ram Sakha Kashyap
Who has been identified by Neel Kant Shrivastava
Who is personally known to the undersigned
It is hereby attested

DEPONENT

S. P. Singh