

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

BEFORE

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 27th OF MAY, 2026

MISC. CRIMINAL CASE No. 24475 of 2026

THE STATE OF MADHYA PRADESH

Versus

SMT. GIRIBALA SINGH

.....
Appearance

Shri Thushar Mehta - Solicitor General of India through video conferencing, Shri Prashant Singh - Advocate General along with Shri Harpreet Singh Ruprah - Additional Advocate General and Shri L.S. Baghel - Government Advocate for the for the applicant/State.

Shri Suyash Mohan Guru - Deputy Solicitor of India with Shri Amit Pandey - Government Advocate for the C.B.I.

Shri Judgal Kishore- Inspector CBI and Shri S.K. Kontiwal- Deputy I.O. C.B.I. appeared for applicant/C.B.I.

Ms. Nitya Ramkrishnan - Senior Advocate through video conferencing along with Shri Enosh George Carlo- Advocate, Shri Parag Shrivastava - Advocate and Shri Deepak Kumar Raghuwanshi- Advocate for the respondent.

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WITH
MISC. CRIMINAL CASE No. 24405 of 2026
NAVNIDHI SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance

Shri Siddharth Luthra - Senior Advocate through video conferencing along with Shri Anurag Shrivastava - learned Advocate and Piyush Kumar Tiwari - learned Advocate for the applicant.

Shri Prashant Singh - Advocate General along with Shri Harpreet Singh Ruprah - Additional Advocate General and Shri L.S. Baghel - Government Advocate for the respondent No.1/State.

Ms. Nitya Ramkrishnan - learned Senior Advocate through V.C. with Shri Enosh George Carlo- learned Advocate, Shri Parag Shrivastava - Advocate and Shri Deepak Kumar Raghuwanshi- Advocate for the respondent No.2.

Shri Sunil Jain - Additional Solicitor General of India with Shri Suyash Mohan Guru - Deputy Solicitor of India, Shri Deepanshu Rai - Advocate, Shri Dev Sharma - Advocate and Shri Harsh Jain - Government Advocate for the respondent No.3/C.B.I.

Shri Jugal Kishore- Inspector CBI and Shri S.K. Kontiwal- Deputy I.O. C.B.I. appeared for applicant/C.B.I.

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ORDER

The Central Bureau of Investigation (CBI) through Shri S.M. Guru, Deputy Solicitor General has filed the applications i.e. I.A. No.12530/2026 (in M.Cr.C. No.24475/2026) and I.A. No.12533/2026 (in M.Cr.C. No.24405/2026), for amendment and impleadment of the CBI as a party in the case.

2. The applications are supported by the affidavits of Shri Jugal Kishore, Sub Inspector, CBI along with FIR No.RC0522026S0004 registered at Police Station SC-III/ND dated 25.05.2026.

3. Copies of the above applications have already been supplied to learned counsel for the other side and they have no objection.

4. Looking to the fact that the investigation has already been handed over to the Delhi Police Establishment by the State Government and the FIR has been registered by the Special Police Establishment/CBI, the applications (I.A. No.12530/2026 and I.A. No.12533/2025) are allowed.

5. Necessary amendments be carried out during the course of the day.

6. Heard on I.A. Nos.11802/2026 and 11891/2026, which are applications for ignoring the defaults as pointed out by the Registry.

7. Considering the reasons stated in the applications, the same are allowed and the defaults pointed out by the Registry are hereby ignored.

8. Also heard on I.A. No.12538/2026, which is an application for ignoring the default.

9. Shri Enosh George, learned Counsel for the respondent has submitted that he has filed a common reply in both the cases.

10. Considering the reasons stated in the application, I.A. No.12538/2026 is allowed and the reply is hereby taken on record.

11. The dispute in both the petitions is arising out of the order passed by the 10th Additional Sessions Judge, Bhopal, in BA No.1485/2026 granting anticipatory bail to the respondent Smt. Giri Bala Singh, in relation to an offence registered against her vide Crime No.133/2026 at Police Station Katara Hills, Bhopal, (newly registered as Book No.1504 Serial No.10, District-New Delhi, P.S. SC-III/ND vide FIR No.RC0522026S0004 dated 25.05.2026), for the offense punishable under Sections 80(2), 85 & 3(5) of BNS, 2023 and Sections 3 & 4 of Dowry Prohibition Act, 1961, hence, they are being decided by this common order.

12. In brief, the facts giving rise to these petitions are that the deceased Twisha Sharma married to Samarth Singh son of respondent Smt. Giri Bala Singh on 09.12.2025 as per Hindu Rituals. On 12.05.2026, the deceased Twisha Sharma in mysterious circumstances/by hanging lost her life. An intimation was sent to her parents in this regard. The dead body was brought to All India Institute of Medical Sciences, Bhopal (AIIMS). The merg No.13/2026 was registered under Section 194 of BNS and after

merg enquiry, an FIR vide Crime No.133/2026 was registered in Police Station-Katara Hills, Bhopal on 15.05.2026. The police started investigation, in the meantime, an anticipatory bail application was moved as Bail Application No.1450/2026 on behalf of respondent Smt. Giri Bala Singh, which vide order dated 15.05.2026 has been allowed. Being aggrieved with the said order granting anticipatory bail to the respondent, these petitions have been filed by the prosecution agency as well as the father of the deceased.

13. Shri Siddharth Luthra, learned Senior Counsel with Shri Anurag Shrivastava, learned counsel appeared on behalf of father of the deceased has relied upon the WhatsApp chats which are part of the petitions and were submitted before the police, it is argued that the deceased narrated her family members that her husband (Samarth Singh) and other family members are thinking that she is addicted to drugs and due to that, she always remains upset. They are not thinking that since the respondent's son has left her, therefore, she is upset due to that reason. She further stated that her in-laws are neither permitting her to live happily nor permitting her to cry. She has badly stuck. Her husband always doubted her regarding the child in her womb and stated that she will be permitted to live in her matrimonial home after terminating her pregnancy. She further stated her family members to come and carry her to parental house.

14. Learned counsel appeared on behalf of father of the deceased has further submitted that respondent and her family members were not supporting the victim and due to that reason, her father was sending money to the deceased time and again. It is submitted that the deceased's father was not given any intimation of inquest. After enlarging on anticipatory bail, the respondent Smt. Giri Bala Singh made a Press Conference on 18.05.2026 and tried to malign the image of the deceased

alleging different types of allegations. It is also argued that the trial Court has totally relied upon the defence documents and failed to consider the material available in the case diary against the respondent. CCTV footage was tampered. Though, the respondent is a retired Judicial Officer, but she did not inform to the nearest police station about the incident and if there was any chance of life, instead of admitting the deceased in the nearest hospital, she had been directly brought to the AIIMS, Bhopal. On the same day, when the FIR was lodged, the bail application was decided by the trial Court and the respondent was given the benefit of anticipatory bail, especially when the investigation was at very initial stage. Hence, the order granting anticipatory bail to the respondent deserves to be quashed.

15. Learned counsel appeared on behalf of father of the deceased has relied upon the Judgment of **Dr. Naresh Kumar Mangla v. Anita Agarwal and others** reported in (2021) 15 SCC 777 particularly paragraphs 16, 17, 18 and 19, which reads as under :-

“16. It is a well-settled principle of law that the setting aside of an “unjustified, illegal or perverse order” granting bail is distinct from the cancellation of bail on the ground of the supervening misconduct of the accused or because some new facts have emerged, requiring cancellation. In *Puran v. Rambilas*, this Court has held that where an order granting bail ignores material on record or if a perverse order granting bail is passed in a heinous crime without furnishing reasons, the interests of justice may require that the order be set aside and bail be cancelled. The recording of no reasons is one end of the spectrum. The other end of the domain for interference with an order granting anticipatory bail (into which the present case settles) is where the reasons are contrary to the material on record and hence found to suffer from perversity.

17. The facts which must be borne in mind while considering an application for the grant of anticipatory bail have been elucidated in the decision of this Court in *Siddharam Satlingappa Mhetre v. State of Maharashtra* and several other decisions. The factors to be considered include :

“112. ... (i) the nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;

(ii) the antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(iii) the possibility of the applicant fleeing from justice;

(iv) the likelihood of the accused repeating similar or other offences;

(v) whether the accusations have been made only with the object of injuring or humiliating the applicant by arresting them;

(vi) the impact of the grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;

(vii) the courts must carefully evaluate the entire material against the accused. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of Sections 34 and 149 of the Penal Code, 1860 the court should consider with even greater care and caution because overimplication in such cases is a matter of common knowledge and concern;

(viii) while considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to the free, fair and full investigation and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(ix) the reasonable apprehension of tampering of the witnesses or apprehension of threat to the complainant;

(x) frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail.

113. Arrest should be the last option and it should be restricted to those exceptional cases where arresting the accused is imperative in the facts and circumstances of that case. The court must carefully examine the entire available record and particularly the allegations which have been directly attributed to the accused and these allegations are corroborated by other material and circumstances on record.”

Adverting to the above observations, in *Jai Prakash Singh v. State of Bihar* [*Jai Prakash Singh v. State of Bihar*, (2012) 4 SCC 379 : (2012) 2 SCC (Cri) 468] , this Court held :

“19. Parameters for grant of anticipatory bail in a serious offence are required to be satisfied and further while granting such relief, the court must record the reasons.... Anticipatory bail can be granted only in exceptional circumstances where the court is prima facie of the view that the applicant has falsely been enroled in the crime and would not

misuse his liberty. (See *D.K. Ganesh Babu v. P.T. Manokaran* [*D.K. Ganesh Babu v. P.T. Manokaran*, (2007) 4 SCC 434 : (2007) 2 SCC (Cri) 345] , *State of Maharashtra v. Mohd. Sajid Husain Mohd. S. Husain* [*State of Maharashtra v. Mohd. Sajid Husain Mohd. S. Husain*, (2008) 1 SCC 213 : (2008) 1 SCC (Cri) 176] and *Union of India v. Padam Narain Aggarwal* [*Union of India v. Padam Narain Aggarwal*, (2008) 13 SCC 305 : (2009) 1 SCC (Cri) 1] .)”

18. In the recent decision of the Constitution Bench in *Sushila Aggarwal v. State (NCT of Delhi)* [*Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1 : (2020) 2 SCC (Cri) 721] , the considerations which ought to weigh with the court in deciding an application for the grant of anticipatory bail have been reiterated. The final conclusions of the Court indicate that :

“92.1. ... The application seeking anticipatory bail should contain bare essential facts relating to the offence, and why the applicant reasonably apprehends arrest, as well as his side of the story. These are essential for the court which should consider his application, to evaluate the threat or apprehension, its gravity or seriousness and the appropriateness of any condition that may have to be imposed. ...

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92.3. ... While considering an application (for grant of anticipatory bail) the court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation, or tampering with evidence (including intimidating witnesses), likelihood of fleeing justice (such as leaving the country), etc. ...

92.4. Courts ought to be generally guided by considerations such as the nature and gravity of the offences, the role attributed to the applicant, and the facts of the case, while considering whether to grant anticipatory bail, or refuse it. Whether to grant or not is a matter of discretion; equally whether and if so, what kind of special conditions are to be imposed (or not imposed) are dependent on facts of the case, and subject to the discretion of the court.”

19. The Constitution Bench has reiterated that the correctness of an order granting bail is subject to assessment by an appellate or superior court and it may be set aside on the ground that the court granting bail did not consider material facts or crucial circumstances. A two-Judge Bench of this Court in *Kanwar Singh Meena v. State of Rajasthan* [*Kanwar Singh Meena v. State of Rajasthan*, (2012) 12 SCC 180 : (2013) 4 SCC (Cri) 614] , noted that : (SCC pp. 185-86, para 10)

“10. Thus, Section 439 of the Code confers very wide powers on the High Court and the Court of Session regarding bail. But, while granting bail, the High Court and the Sessions Court are guided by the same considerations as other courts. That is to say, the gravity of the

crime, the character of the evidence, position and status of the accused with reference to the victim and witnesses, the likelihood of the accused fleeing from justice and repeating the offence, the possibility of his tampering with the witnesses and obstructing the course of justice and such other grounds are required to be taken into consideration. *Each criminal case presents its own peculiar factual scenario and, therefore, certain grounds peculiar to a particular case may have to be taken into account by the court. The court has to only opine as to whether there is prima facie case against the accused. The court must not undertake meticulous examination of the evidence collected by the police and comment on the same. Such assessment of evidence and premature comments are likely to deprive the accused of a fair trial.* While cancelling the bail under Section 439(2) of the Code, the primary considerations which weigh with the court are whether the accused is likely to tamper with the evidence or interfere or attempt to interfere with the due course of justice or evade the due course of justice. But, that is not all. The High Court or the Sessions Court can cancel the bail even in cases where the order granting bail suffers from serious infirmities resulting in miscarriage of justice. *If the court granting bail ignores relevant materials indicating prima facie involvement of the accused or takes into account irrelevant material, which has no relevance to the question of grant of bail to the accused, the High Court or the Sessions Court would be justified in cancelling the bail.* Such orders are against the well-recognised principles underlying the power to grant bail. Such orders are legally infirm and vulnerable leading to miscarriage of justice and absence of supervening circumstances such as the propensity of the accused to tamper with the evidence, to flee from justice, etc. would not deter the court from cancelling the bail. The High Court or the Sessions Court is bound to cancel such bail orders particularly when they are passed releasing the accused involved in heinous crimes because they ultimately result in weakening the prosecution case and have adverse impact on the society. Needless to say that though the powers of this Court are much wider, this Court is equally guided by the above principles in the matter of grant or cancellation of bail.”

and has submitted that the trial Court did not use its discretion in a proper manner and without considering the facts, granted anticipatory bail to the respondent.

16. Learned counsel appeared on behalf of father of the deceased has also relied upon the Judgment of **Samunder Singh v. State of Rajasthan and others** reported in **(1987) 1 SCC 466** in which the Hon’ble Apex Court has held that anticipatory bail, in the cases of dowry death, the

caution is required. He has also relied upon a Judgment reported in **MANU/MP/0361/2005 decided on 28.09.2005 passed in Indal Ram v. State** passed by High Court of Madhya Pradesh (Jabalpur Bench).

17. The learned counsel appeared on behalf of father of the deceased has submitted that the respondent is a retired Judicial Officer and obtained the training of Special Courses on Cyber Crimes, Cyber Forensic & Digital Signature Technology and Crime Scene Management and used her skills to tamper the crime scene and in that circumstances, the trial Court was duty bound to appreciate the evidence, hence, the order granting anticipatory bail to the respondent deserves to be quashed.

18. Shri Suyash Mohan Guru, Deputy Solicitor General of India for the Central Bureau of Investigation (CBI) and Shri Prashant Singh, learned Advocate General have submitted that the factual matrix of the case is that on 09.12.2025, the marriage of the deceased was solemnized with Samarth Singh as per Hindu Rituals, in which, the father of the deceased gave dowry and gifts. On 17.04.2026, upon discovering the facts that the deceased became pregnant, some dispute arose amongst the family members, following which, the deceased left her matrimonial home and went back to Noida. It is alleged that the deceased's husband and her mother-in-law doubted over her character when she was found to be pregnant and forced her to undergo abortion and this fact is supported by the relevant WhatsApp chats dated 30.04.2026, 07.05.2026, 09.05.2026 and 11.05.2026. On 30.04.2026, the deceased returned to Bhopal. On 05.05.2026, she asked her mother to take away her from her matrimonial house. On 12.05.2026, the deceased called her mother on WhatsApp and alleged that her husband was found to be shouting at her after which the call was disconnected. On 12.05.2026, it is alleged that around 10:37 pm the mother-in-law answered the call of the parents of the deceased. On the

same day, the deceased was found hanging at her matrimonial home and was declared dead. On 13.05.2026, the first postmortem was conducted in the AIIMS. In the postmortem report, multiple injuries were found over the body of the deceased, those were reported to be simple in nature but caused by blunt force. It is also argued that Dr. Rajbala Singh Bhadoriya and Dr. Yashveer J.K. were the senior doctors in Bhopal and were present in the postmortem room when the postmortem was being conducted in the AIIMS Bhopal. On 13.05.2026, the incident was reported by Dr. Rajneesh. The respondent and her son filed anticipatory bail application. On 15.05.2026, anticipatory bail of respondent was allowed whereas the anticipatory bail application of Samarth Singh was withdrawn. On 15.05.2026, an SIT was also formed for proper investigation of the case. At the time, when the case diary was submitted before the trial Court, the Court did not consider the fact that the presumption under Section 118 of Bhartiya Saksha Adhinyam is available against the respondent. The trial Court did not consider the fact that the deceased, her husband and mother-in-law (respondent Smt. Giri Bala Singh) were residing in the same house. The deceased was having injuries but no explanation has been submitted by the respondent for that whereas relying upon the documents to be gospel truth, the bail application was allowed by the trial Court. Notices were issued to respondent on 13.05.2026 and on 14.05.2026 but she did not turn up and after granting anticipatory bail, again notices were served upon the respondent on 20.05.2026, 21.05.2026 and 23.05.2026 but she did not turn up.

19. Shri Suyash Mohan Guru, Dy. Solicitor General of India for the Central Bureau of Investigation (CBI) and Shri Prashant Singh, learned Advocate General has relied upon the Judgments of **Prahlad Singh Bhati v. NCT, Delhi** reported in **(2001) 4 SCC 280**, **Jai Prakash Singh v. State**

of Bihar reported in **(2012) 4 SCC 379, Narendra K. Amin v. State of Gujarat** reported in **(2008) 13 SCC 584, Dinesh M.N. (S.P.) v. State of Gujarat** reported in **(2008) 5 SCC 66, P. Chidambaram v. ED** reported in **(2019) 9 SCC 24, Anil Tuteja v. Union of India** passed in SLP (Crl) **6323-6324 of 2020 on 16.09.2025** and **Mahesh Chand v. State of U.P.** reported in **2026 SCC OnLine SC 793** and submitted that custodial interrogation of the respondent is required in the case as she left no stone unturned to malign the character of the deceased by giving multiple interviews even though the investigation of the case is going on. During investigation, the police seized the CCTV footage from the respondent's house on 13.05.2026. However, the respondent was having the footage of the incident and she leaked the selective short clip of the video recording on the social media with intention of tampering with the evidence. The respondent's sister Dr. Rajbala Singh Bhadoriya and Dr. Yashveer J.K. are the senior doctors in Bhopal and were allegedly present at the time of first postmortem. Mystery revolving around the death of the deceased, possible involvement of the influential accused and non-cooperation shown during ongoing investigation, it indicates that the matter is at the initial stage, therefore, custodial interrogation of the respondent may be required and to support their contention, they have also relied upon the Judgments of **State v. Anil Sharma** reported in **(1997) 7 SCC 187** and **P. Krishna Mohan Reddy v. State of A.P.** reported in **2025 SCC OnLine SC 1157**.

20. Learned Advocate General has further submitted that query report submitted by the AIIMS, who conducted the postmortem, it is clear that the injuries suffered to the deceased cannot be caused during taking out the body from the ligature. Reading the statements of the witnesses particularly Rekharani Sharma, he has further stated that more than one occasions, the respondent demanded dowry and stated that the dowry

given during the marriage ceremony was not up to their standard. She taunted the deceased when she returned from Vietnam. The deceased was having shares, therefore, the respondent and her son wanted to transfer the deceased's shares in their names. Her pregnancy was forcefully terminated stating that the child is from another person and they will permit her to live with them when the pregnancy would be terminated. On 19.04.2026, when the deceased came to Rajasthan, the respondent and her son were expressing doubt over her character. The deceased in a telephonic conversation had informed her parents that the respondent and her son were scuffling with her and demanding dowry and has submitted that in these circumstances, the bail order deserves to be quashed.

21. Shri Tushar Mehta, learned Solicitor General of India on behalf of the CBI/prosecution agency has submitted that the manner in which anticipatory bail was obtained, creates doubt that the trial Court did not consider the aspect relevant for granting anticipatory bail. After granting bail, the respondent was making Press Conferences and making allegations against the deceased and flouting the law. In such a serious matter, when the girl is aged about 33 years has lost her life, the respondent has no remorse and not tried to cooperate with the Investigating Agency. The trial Court did not consider a single line of the prosecution witnesses and totally believed in the defence documents. He has also relied upon the Judgments of **Prahlad Singh Bhati (supra)**, **Jai Prakash Singh (supra)**, **Narendra K. Amin (supra)**, **Dinesh M.N. (S.P.) (supra)**, **P. Chidambaram (supra)**, **Anil Tuteja (supra)** and **Mahesh Chand (supra)**. He has further argued that they are not praying for cancellation of bail and submitted that prosecution agency is demanding the quashment of the anticipatory bail order passed in favour of the respondent, hence, this Court has proper jurisdiction to adjudicate the matter.

22. Ms. Nitya Ramkrishnan, learned Senior Counsel along with Shri Enosh George, learned Counsel for the respondent has submitted that the deceased committed suicide on 13.05.2026 and immediately thereafter the respondent rushed to AIIMS. The family members of the deceased were informed at the time of inquest report, the family members of the deceased were present on the spot and on the same day i.e. 13.05.2026 at 09:42 hours, the police seized the ligature, laptop keyboard, mobile phone of Apple Company. On the same day i.e. 13.05.2026, the mobile of the deceased was also recovered from her husband and on the same day at about 18:40 hours, the DVR was recovered. The papers of the treatment of the deceased were also recovered. Thus, it cannot be said that the respondent was not supporting with the prosecution. The statement of Rekharani Sharma was recorded on 13.05.2026 as stated in the FIR and after that, the trial Court considered the anticipatory bail application. Except the WhatsApp chats in which there is allegation regarding the husband Samarth Singh only, there is no allegation that the respondent was anyhow involved in harassing the deceased or blaming over her character. In compilation, various photographs and letters have been submitted in which the deceased has clearly submitted that the respondent was taking care of. Relying upon the Judgment of **Savitri Agarwal and others v. State of Maharashtra and another** reported in **(2009) 8 SCC 325**, she has submitted that very cogent and overwhelming circumstances are necessary for an order directing the cancellation of bail already granted to the respondent and in the present case, these grounds are not available, hence, no case of cancellation of bail is made out.

23. Shri Enosh George, learned counsel for the respondent has relied upon the Judgment of **Sanjay Avasthi v. Vijay Jain** reported in **2012 1 ANJ 105** and has submitted that if there is any infringement of the

conditions imposed by the trial Court while granting bail, the applicant should move to the same Court which granted bail and directly they cannot approach the High Court. On the same facts, he has relied upon the Judgment passed by the High Court of Gujarat in the case of Paresh Shantilal and others passed in Criminal Appeal No.1029/2014 on 27.06.2025. He has also relied upon the Judgment passed by High Court of Karnataka Kalaburagi Bench on 24.06.2025 in the case of Devibai v. the State of Karnataka and another in Criminal Petition No.200940 of 2025.

24. I have heard the arguments, gone through the reply submitted by the respondent and the order passed by the trial Court.

25. The trial Court considered the fact that only on the basis that the death occurred within 07 years of marriage, the anticipatory bail application cannot be dismissed and further considered that the respondent/accused has transferred the amount in the account of deceased/daughter-in-law. The trial Court has also considered the prescription of Bansal Hospital and held that the allegations are of formal nature and concluded that from WhatsApp chats, it appears that the deceased was having complaint with her husband but not with the respondent. The respondent is a 63 years old woman and a resident of Bhopal, hence, there are no chances of her absconding and on that basis, granted anticipatory bail to the respondent.

26. From the case diary, it is clear that the deceased was married with the son of this respondent on 09.12.2025 as per Hindu Rituals. The deceased, as per prosecution case, committed suicide on 12.05.2026. Autopsy was conducted on 13.05.2026. As per postmortem report, the death was due to antemortem hanging by ligature but from the postmortem, it is also clear that six other injuries were found in the body of the deceased in which four injuries were on the left arm, one in ring

figure and one is on the head and that was antemortem. From the query report, it is also clear that these injuries were not caused due to taking out the body from the ligature or carrying out to the hospital.

27. It is also admitted fact that the deceased got the pregnancy and that was terminated within two months. The complainant party has alleged on the respondent whereas the respondent has submitted that the deceased herself was interested in terminating the pregnancy.

28. From the statements of Rekharani Sharma, Meenakshi Sharma, Navnidhi Sharma, Harshit Sharma and Rashmi Abrol, it is clear that from the first date on 13.05.2026, they have clearly stated that the respondent along with her son was harassing the deceased and making pressure to abort the pregnancy. On 14.05.2026 and 15.05.2026, further statements were recorded and in all the statements, there are clear allegations against the respondent and her son. From the WhatsApp chats also, it cannot be said that the allegations are only against Samarth Singh but the trial Court did not consider all these facts.

29. Further, it is also stated that after getting anticipatory bail, the respondent is not cooperating with Investigation Agency though several notices were issued to her for recording her statement and cooperating with the agency. So far as the money transactions are concerned, the marriage was solemnized on 09.12.2025, the money transactions were made on 09.10.2025, 16.12.2025, 14.01.2026, 12.02.2026, 25.01.2026, 01.03.2026 and 26.02.2026 and it is stated that these were made during the marriage and when the deceased went out of India, but it cannot be said that the money was transferred in the account of the deceased near her death and on that basis, it cannot be said that the respondent has transferred much money in the account of the victim, by that, it could be presumed that there was no demand of dowry.

30. The Hon'ble Apex Court in the case of **Vipin Kumar Dhir vs. State of Punjab and another** reported in **(2021) 15 SCC 518**, in paragraph Nos.9 to 12 has settled the principles of bail and when it could be quashed. The observation made by the Supreme Court in the above paragraphs reads as under:-

“9. At the outset, it would be fruitful to recapitulate the well-settled legal principle that the cancellation of bail is to be dealt on a different footing in comparison to a proceeding for grant of bail. It is necessary that “cogent and overwhelming reasons” are present for the cancellation of bail. Conventionally, there can be supervening circumstances which may develop post the grant of bail and are non-conducive to fair trial, making it necessary to cancel the bail. This Court in *Dolat Ram v. State of Haryana* [*Dolat Ram v. State of Haryana*, (1995) 1 SCC 349, para 4 : 1995 SCC (Cri) 237] observed that : (SCC pp. 350-51, para 4)

“4. Rejection of bail in a non-bailable case at the initial stage and the cancellation of bail so granted, have to be considered and dealt with on different basis. Very cogent and overwhelming circumstances are necessary for an order directing the cancellation of the bail, already granted. Generally speaking, the grounds for cancellation of bail, broadly (illustrative and not exhaustive) are : interference or attempt to interfere with the due course of administration of justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner. The satisfaction of the court, on the basis of material placed on the record of the possibility of the accused absconding is yet another reason justifying the cancellation of bail. However, bail once granted should not be cancelled in a mechanical manner without considering whether any supervening circumstances have rendered it no longer conducive to a fair trial to allow the accused to retain his freedom by enjoying the concession of bail during the trial.”

10. These principles have been reiterated time and again, more recently by a three-Judge Bench of this Court in *X v. State of Telangana* [*X v. State of Telangana*, (2018) 16 SCC 511, paras 14-15 : (2020) 1 SCC (Cri) 902] .

11. In addition to the caveat illustrated in the cited decision(s), bail can also be revoked where the court has considered irrelevant factors or has ignored relevant material available on record which renders the order granting bail legally untenable. The gravity of the offence, conduct of the accused and societal impact of an undue indulgence by Court when the investigation is at the threshold, are also amongst a few situations, where a Superior Court can interfere in an order of bail

to prevent the miscarriage of justice and to bolster the administration of criminal justice system. This Court has repeatedly viewed that while granting bail, especially anticipatory bail which is per se extraordinary in nature, the possibility of the accused to influence prosecution witnesses, threatening the family members of the deceased, fleeing from justice or creating other impediments in the fair investigation, ought not to be overlooked.

12. Broadly speaking, each case has its own unique factual scenario which holds the key for adjudication of bail matters including cancellation thereof. The offence alleged in the instant case is heinous and protrudes our medieval social structure which still wails for reforms despite multiple efforts made by legislation and judiciary.”

31. In light of above factual aspects of the case and the allegation levelled against the respondent, the anticipatory bail order dated 15.05.2026 passed in BA No.1485/2026 by 10th Additional Sessions Judge, Bhopal in Crime No.133/2026 (newly registered as Book No.1504 Serial No.10, District-New Delhi, P.S. SC-III/ND vide FIR No.RC0522026S0004 dated 25.05.2026) for the offense punishable under Sections 80(2), 85, 3(5) of BNS, 2023 and Sections 3 & 4 of Dowry Prohibition Act, 1961, is hereby quashed.

32. Accordingly, the petitions are **allowed** and **disposed of**.

33. Pending application, if any, stands disposed of.

(DEVNARAYAN MISHRA)
V. JUDGE