

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

W.P. No. 19119/2026

Petitioner : Navnidhi Sharma,
S/o Shri Vachaspati Sharma,
Aged about 61 years,
Occupation – Retired Army Officer,
R/o K-19085, 16th Avenue, Golf City – II,
Greater Noida West, Gautam Budhh Nagar,
Noida (U.P.).

Presented on 22/05/26
By P. K. Tiwari
Supra
Presentation Assistant

versus

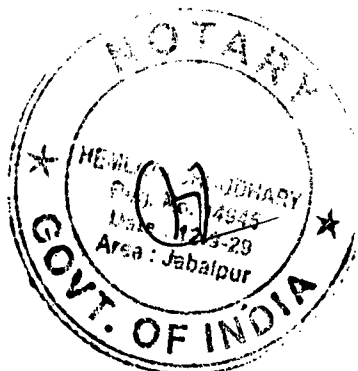
- Respondents:**
1. State of Madhya Pradesh,
Through Principal Secretary,
Government of Madhya Pradesh,
Vallabh Bhawan, Bhopal (M.P.).
 2. The Director General of Police,
Madhya Pradesh Police HQ,
Jahangirabad, Bhopal (M.P.).
 3. Commissioner of Police,
Police Commissioner Office,
Shahjahanabad, Bhopal (M.P.).
 4. Station House Officer, Police Station, Katara
Hills, Baghmugalia, Bhopal (M.P.).

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSITITUTION
OF INDIA**

**1. Particulars of the cause/order against which the petition
is made:**

- | | | | |
|-------|---------------------------------|---|---|
| (i) | Details of order | : | - |
| (ii) | Date of order | : | - |
| (iii) | Passed by | : | - |
| (iv) | Subject matter in brief: | | |

That by the instant petition the petitioner, who is the father of the deceased i.e. Late Smt. Tvisha Sharma, seeking direction to the respondents for the immediate preservation of the dead body/mortal remains of his deceased daughter and for directing a second post-mortem examination to be conducted by a board of



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doctors at the All India Institute of Medical Sciences (AIIMS), New Delhi.

That it is most respectfully submitted here that the accused persons are highly influential i.e. the mother-in-law, Smt. Giribala Singh, is a former District Judge, Bhopal and Former Registrar of High Court of Madhya Pradesh, Jabalpur Bench. Moreover, the husband i.e. Samarth Singh of the deceased is a practicing Advocate in Bhopal. Furthermore, during the first post-mortem examination, the accused mother-in-law, along with her sister Dr. Rajbala Singh Bhadoriya and another relative Dr. Yashveer J K, were present at the hospital, creating a intense atmosphere of intimidation and raising a strong apprehension of the medical examination being influenced.

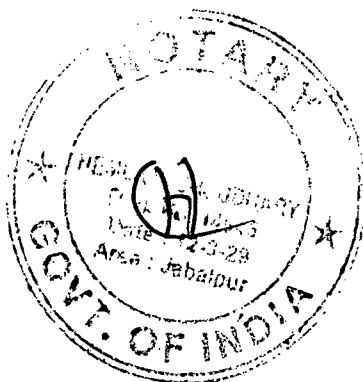
That the petitioner submitted a detailed representation dated 17.05.2026 to the respondent authorities seeking preservation of the body and a second post-mortem at AIIMS, New Delhi, to ensure a fair and impartial investigation. However, due to procedural delays, no concrete action has been taken, and crucial forensic evidence is at risk of being lost forever with each passing day. Hence, this petition.

2. A declaration that no proceeding on the same subject matter has been previously instituted in any court, authority or tribunal, if instituted, the status or result thereof, alongwith copy of the order:

The petitioner declares that no proceeding is pending on the same subject matter filed by petitioner.

3. Details of remedies exhausted:

The petitioner declares that no other efficacious or statutory remedy is available to them except for filing the instant writ petition.



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4. Delay, if any, in filing the petition and explanation therefore:

The petitioner declares that there is no delay in filing the instant writ petition.

5. Facts of the case:

5.1 That, the petitioner is the father of the deceased Late Smt. Twisha Sharma, who died an unnatural and suspicious death on 12.05.2026 at her matrimonial home in Bhopal. The petitioner along with his family is residing at the address mentioned hereinabove. The petitioner is a law-abiding citizen of India and is constrained to file the present petition seeking justice for his deceased daughter.

5.2 That the marriage of the petitioner's daughter, Late Smt. Twisha Sharma, was solemnized with Samarth Singh S/o Late Shri R.K. Singh, R/o HIG 311, Katara Extension, Baghmugalia, Bhopal, (M.P.), on 09.12.2025 as per Hindu rites, customs and ceremonies. Smt. Giribala Singh, W/o Late Shri R.K. Singh is the mother of Samarth and thus Smt. Giribala Singh is the Mother-in-law of Late Smt. Twisha Sharma. After her marriage with Samarth Singh, Late Smt. Twisha Sharma was residing in their aforesaid house along with Samarth Singh. The petitioner gave dowry and gifts beyond his financial capacity, in the said marriage.

5.3 That Smt. Giribala Singh was a member of Higher Judicial Services of Madhya Pradesh and has retired as a District and Sessions Judge and is at present posted as President/Chairperson, District Consumer Forum, Bhopal. Shri Samarth Singh is a criminal lawyer practicing at Bhopal, (M.P.). Thus both Smt. Giribala Singh and Shri Samarth Singh are influential persons having relations and connections with many influential persons enjoying



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important positions. They both are well aware with the provisions and process of law and the procedures of investigation, enquiry and trial of criminal cases and offences.

5.4 That soon after the marriage, the deceased's husband, Samarth Singh, and mother-in-law, Smt. Giribala Singh, began subjecting her to physical and mental cruelty upon Late Smt. Twisha Sharma for not bringing sufficient dowry. They taunted her, deprived her of money for daily expenses, pressurized her to hand over the amount given to her by the Petitioner as also the amount accumulated by her from her previous job, abused her and made her life miserable.

5.5 That, further the cruelty escalated to such an extent that in April 2026, when the deceased was pregnant, her husband and mother-in-law doubted the character of the deceased and alleged the child was not his, and forced her to undergo an abortion. That the deceased was in constant touch with her mother and brother, and her WhatsApp messages, which have been seized by the police, are a testament to the horrific torture she endured. She repeatedly expressed feelings of suffocation, fear, and pleaded to be rescued from her matrimonial home. Copy of the chats showing the same are cumulatively marked herewith as **Annexure P-1**. For the purpose of convenience, the extremely important related portions of the aforesaid chats, are separately being filed with their English translation, annexed herewith as **Annexure P-2**.

5.6 That, on 12.05.2026, at around 10:05 PM, the deceased was on a call on 'whatsapp' with her mother at Greater Noida (U.P.), when her husband, Samarth Singh, was heard shouting aggressively in the background, after which the call



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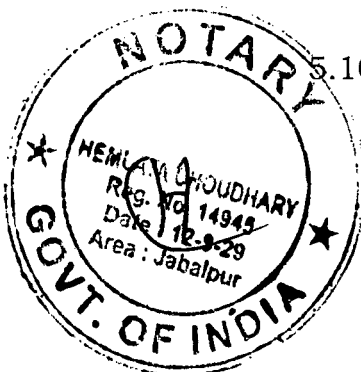
was abruptly disconnected and her phone was switched off. That thereafter frequently calls were made by the petitioner and other family members, but to no avail, all went unanswered. That at 10:35 PM, the mother-in-law, Smt. Giribala Singh, answered a call and callously informed the petitioner that "She is no More", before disconnecting.

5.7 That it is further pertinent that the nearest Police Station Katara Hills, Bhopal is at a distance of hardly one minute from the residence of the Smt. Giribala Singh and Samarth Singh, where the aforesaid incidence had occurred.

5.8 That it is extremely shocking and surprising that though both Smt. Giribala Singh and Samarth Singh, being fully aware of the legal process and provisions of law and investigation and enquiry of criminal matters, did not care to inform the local police immediately regarding the aforesaid incidence. On the other hand according to them Late Smt. Tvisha Sharma had attempted suicide on the third floor of their house and they brought her from the third floor to ground floor through the stairs, with the help of atleast three outsiders and even then instead of informing the local police or calling for the ambulance for immediate medical support, they themselves took her to the AIIMS Hospital Bhopal, where they say, that she was declared brought dead by the doctors.

5.9 That it further pertinent to mention that it was the petitioner and his family members, who first informed the local police, about the incidence through phone call.

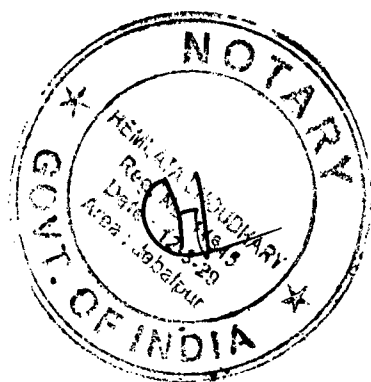
5.10 That, the first post-mortem examination was conducted on 13.05.2026 at AIIMS Hospital, Bhopal. Copy of the short Post Mortem Report same is marked herewith as **Annexure**



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P-3 and the copy of the detailed First Post Mortem Report is marked herewith as **Annexure P-4**. That it is most respectfully submitted here that the said post-mortem is grossly inadequate, defective, and appears to be influenced. Smt. Giribala Singh, her real sister Dr. Rajbala Singh Bhadoriya, and another relative, Dr. Yashveer J K. who are senior doctors practicing in Bhopal, along with some other influential doctors and other influential persons, were present at the time when the aforesaid first post-mortem was being conducted at AIIMS Bhopal.

- 5.11 That it is extremely pertinent to mention here that though it was alleged that Late Smt. Twisha Sharma has committed suicide by hanging herself, even then, the Ligature (Belt/Rope) was not produced before the Doctors of AIIMS Bhopal, while conducting the aforesaid Post Mortem.
- 5.12 That even after the aforesaid first post mortem, no FIR was registered against Smt. Giribala Singh and Samarth Singh, though Late Smt. Twisha Sharma had met with an unnatural death, within 6 months of her marriage under unnatural circumstances.
- 5.13 That thereafter the petitioner along with his family members rushed to Bhopal from Greater Noida and for next two days they met and requested every possible police officer to register an FIR against Smt. Giribala Singh and Samarth Singh but in vain. It reflected that the entire police and local administration at Bhopal (M.P.), was under the influence and pressure of Smt. Giribala Singh, she being a Retired District & Session Judge and presently enjoying the post of President District Consumer Forum Bhopal and her Lawyer son



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Samarth Singh and other influential persons in their relation.

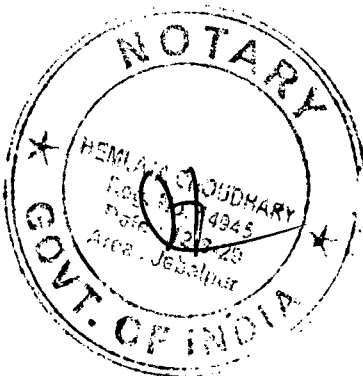
5.14 That after much of the efforts on the part of the petitioner and his family members, as late as on 15.05.2026, an FIR bearing No. 0133 of 2026 was registered against Smt. Giribala Singh and Samarth Singh at Police Station Katara Hills, Bhopal, under Sections 3(5), 80(2), 85 of the Bharatiya Nyaya Sanhita, 2023, and Sections 3 & 4 of the Dowry Prohibition Act, 1961. Copy of the FIR dated 15.05.2026 is marked herewith as **Annexure P-5**.

5.15 That to the extreme shock and surprise to the petitioner and his family members, even before the registration of the aforesaid FIR bearing no. 0133/2026 on 15.05.2026, both Smt. Giribala Singh and Samarth Singh on 14.05.2026 itself, moved separate applications for grant of anticipatory bail under section 482 of BNSS 2023 before the Sessions Court Bhopal, which were finally allocated/transferred to the Court of Smt. Pallavi Dwiwedi, Xth Additional Sessions Judge Bhopal (M.P.). The application moved by Smt. Giribala Singh was registered as Bail Application, B.A. No. 1485/2026 and that filed by Smarath Singh was registered as Bail Application No. 1486/2026. Both these applications were listed for First Hearing on 15.05.2026. The aforesaid facts of filing of Bail Application on 14.05.2026 and their listing for First Hearing on 15.05.2026 i.e. the date on which the FIR was registered, is apparent from the case details available on e-court services, copy of which is annexed herewith as **Annexure P-6 and P-7**.



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- 5.16 That the petitioner immediately filed objection to the said applications for anticipatory bail, applied by Smt. Giribala Singh and Samarth Singh.
- 5.17 That the anticipatory bail application moved by Samarth Singh was deferred for hearing for 18.05.2026. However the anticipatory bail application moved by Smt. Giribala Singh and the objection raised by the petitioners on the said application, were heard by the Court below on 15.05.2026 itself and the said Anticipatory Bail Application was allowed by the Court of Xth Additional Sessions Judge on 15.05.2026 itself vide the order **Annexure P-8**.
- 5.18 That the aforesaid order Annexure P-8 has been passed and through it the benefit of anticipatory bail has been granted to Smt. Giribala Singh, by the court below on absolutely vague and absurd grounds and the petitioner has challenged the said anticipatory bail order by filing MCRC No. 24405/2026 (Navnidhi Sharma vs State of Madhya Pradesh and others) before this Hon'ble Court, which is pending for consideration which are being detailed hereinafter.
- 5.19 That the anticipatory bail application filed by Samarth Singh has been dismissed by the Court of Xth Additional Sessions Judge, Bhopal on 18.05.2026.
- 5.20 That, the petitioner has a strong and bona fide apprehension that the first post-mortem was influenced and manipulated. The accused persons are highly influential, the mother-in-law, Smt. Giribala Singh, is a former District Judge, and the husband, Samarth Singh, is an Advocate. During the entire duration of the post-mortem examination at AIIMS, Bhopal, the accused mother-in-law was personally present,

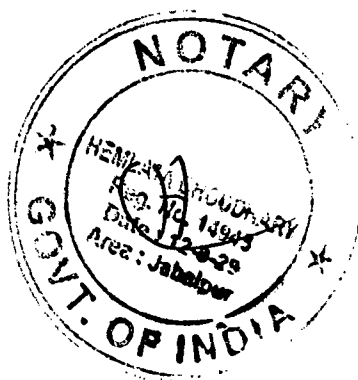


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accompanied by her sister, Dr. Rajbala Singh Bhadoriya, and another relative, Dr. Yashveer J K. Their presence at the hospital was clearly intended to intimidate the medical staff and influence the outcome of the examination to conceal the true cause of death, which appears to be murder by strangulation, masked as suicide.

5.21 That being aggrieved by the mechanical investigation and the defective post-mortem report, the petitioner submitted a detailed representation on 16.05.2026 to the Commissioner of Police, Bhopal for conducting a fair, unbiased and independent investigation, raising doubts about the first post mortem and in their meeting with the Commissioner of Police they requested for a second post-mortem of Late Smt. Twisha Sharma to be conducted at/by AIIMS, New Delhi. A copy of the said Representation is annexed herewith as **Annexure P-9**. Initially, the Commissioner of Police, Bhopal assured the petitioner for conducting a second post-mortem of Late Smt. Twisha Sharma and in presence of the petitioner and his family members, directed his subordinate officers to conduct a second post-mortem at/by AIIMS, New Delhi.

5.22 That however, on 17.05.2026, when the petitioner and his family members contacted the Commissioner of Police, Bhopal and sought information as to when and how the second post-mortem would be conducted at/by AIIMS New Delhi, to the extreme shock of the petitioner and his family members, they were informed that there is no provision for conducting the second post-mortem and directed the petitioner to approach and obtain an order in this regard from the concerned Court. This conduct of the police officers again confirms that they are acting under huge influence and pressure of the respondent no. 2.

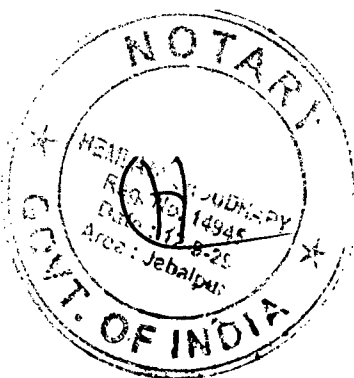


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5.23 That, the petitioner again immediately submitted a detailed representation through e-mail dated 17.05.2026 to the Commissioner of Police, Bhopal and other senior police officials, demanding the immediate preservation of the mortal remains of the deceased and the conduct of a second post-mortem by an independent medical board at/of AIIMS, New Delhi. Copy of the said representation is marked herewith as **Annexure P-10**.

5.24 That despite the said representation, the respondent authorities failed to take any decisive action. The petitioner was informed that while administrative approval was granted, a formal order from a competent court might be required, leading to an inordinate and prejudicial delay. Every passing moment is critical, as the delay may cause the decomposition of the body and the irretrievable loss of crucial forensic evidence that could establish the true cause of death.

5.25 That, when all the attempts and requests by the petitioners and his family members with the Commissioner of Police and investigating officers for conducting a second post-mortem of Late Smt. Twisha Sharma failed, the petitioner has moved an application under Section 194 and 196 of BNSS, 2023, before the concerned Judicial Magistrate First Class, Bhopal, for directing the respondent no. 4 to conduct second post-mortem at AIIMS, New Delhi and further directions in this regard. A copy of the aforesaid application is annexed herewith as **Annexure P-11**, wherein all the grounds, reasons and circumstances creating serious doubts on the first post-mortem, Annexure P-3/P-4 were mentioned in detail. The aforesaid application was fixed for hearing by the JMFC Court Bhopal for 20.05.2026.



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5.26 That, thereafter on 20.05.2026, the police administration has issued a letter to the petitioner, stating therein that the corpse of Late Smt. Twisha Sharma has been kept in the mortuary of AIIMS Bhopal at a temperature of -4 degree Celsius and that the doctors in AIIMS Bhopal have on 18.05.2026 informed that to save the corpse from decomposition, it needs to be kept in a temperature of -80 degree Celsius, which facility is not available in AIIMS Bhopal. It has been further stated in the said letter, that the police does not have any objection in conducting the re-postmortem but since the corpse of Late Smt. Twisha Sharma is kept in mortuary and there is every possibility of it's getting decomposed and second post-mortem may not be possible therefore the petitioner should receive the corpse. A copy of the said letter dated 20.05.2026 is annexed herewith as **Annexure P-12**. Similar report was filed by the Police before the Court of JMFC Bhopal Smt. Anudita Gupta with respect to the petitioner's application Annexure P-11.

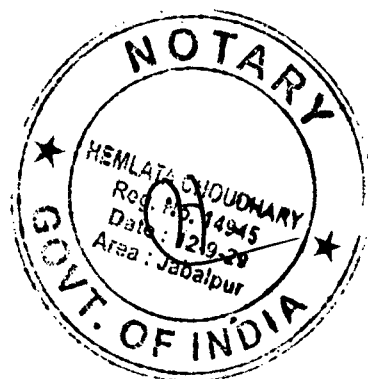
5.27 That, under the aforesaid circumstances it is amply clear that the police administration, under the influence of Smt. Giribala Singh and Samarth Singh, did not allow the re-postmortem conducted till 20.09.2026 and now has issued the Letter Annexure P-12, indicating that since the facility of -80 degree Celsius is not available with AIIMS Bhopal and since there is every possibility of the corpse getting decomposed, therefore the petitioner should receive the corpse, thereby in fact hampering all the possibilities of a re-postmortem of Late Smt. Twisha Sharma being conducted and resultantly badly and adversely affecting a fair and unbiased investigation in the crime.



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5.28 That, the Court of JMFC Bhopal Smt. Anudita Gupta has vide the order dated 20.05.2026, partially allowed the aforesaid Application Annexure P-11, directing the Police to find a suitable hospital/institute in the State of Madhya Pradesh, where the corpse of Late Smt. Twisha Sharma can be kept preserved under temperature of -80 Degree Celsius and it shall be kept preserved there. However, the request for conducting her Second Post Mortem at AIIMS Delhi, has been not allowed, on the grounds that the JMFC Court Bhopal can order any investigation within its jurisdiction of Bhopal and not beyond it and since the AIIMS New Delhi is outside the local jurisdiction of the JMFC Bhopal, therefore second post mortem at AIIMS New Delhi cannot be permitted. Further though the investigation of the crime is at a very initial stage and though the petitioner and his family members are repeatedly raising serious doubts regarding influence exercised by Smt. Giribala Singh and Samarth Singh during the process of first post-mortem conducted at AIIMS, Bhopal, yet the Learned JMFC, Bhopal in her order dated 20.05.2026 has on the basis of incomplete investigation diary produced before her, made a remark that in the case diary there is no material regarding influence on the part of Smt. Giribala Singh and Samarth Singh during the first post-mortem. A copy of the said order dated 20.05.2026 is annexed herewith as **Annexure P-13**.

5.29 That, the petitioner and his family members and persons who closely knew Late Smt. Twisha Sharma, have made multiple representations, to all the concerned Constitutional Authorities, Police Administration, AIIMS Bhopal, regarding conducting a fair and neutral investigation, conducting the Second Post Mortem of Late Smt. Twisha Sharma and keep her corpse preserved in best manner for the said purpose.

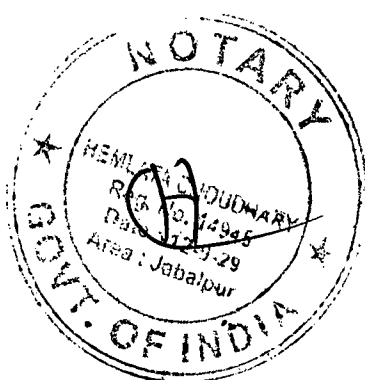


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Copy of these representations are annexed herewith as **Annexure P-14 to P-17**. However, none of these representations have been responded by the concerned authorities and on the other hand the police administration is repeatedly asking the petitioner and his relatives, to receive the corpse of Late Smt. Twisha Sharma, without the second post mortem being done. Had the Police & AIIMS Administration responded and informed the petitioner at the right time that the corpse of Late Smt. Twisha Sharma needs to be preserved at -80 Degree Celsius and the said facility was not available with AIIMS Bhopal, then the petitioner and his family members would have requested to shift her corpse to any such place/institute or hospital, where such facility was available.

5.30 That, under the facts and circumstances narrated above and the grounds mentioned hereunder, the first post-mortem report Annexure P-3 and P-4 conducted at AIIMS, Bhopal are highly suspicious. There are many discrepancies in the said reports which necessitate the Second/Re-Post-Mortem of Late Smt. Twisha Sharma to be conducted at the earliest. The photographs depicting the Ligature & Other Injuries of Late Smt. Twisha Sharma are annexed herewith cumulatively as **Annexure P-18**.

5.31 That, it is humbly submitted that in view of the fact that every passing minute and hour, the possibility of the corpse of Late Smt. Twisha Sharma may start decomposing or may further decompose thereby hampering the possibility of the Second/Re-Post-mortem therefore, there is no option left for the petitioner then to seek the intervention of this Hon'ble Court for directing Second/Re-Post-mortem of Late Smt. Twisha Sharma and preservation of her corpse at any place



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where suitable facility of preserving the same at the required temperature is available, anywhere in the country.

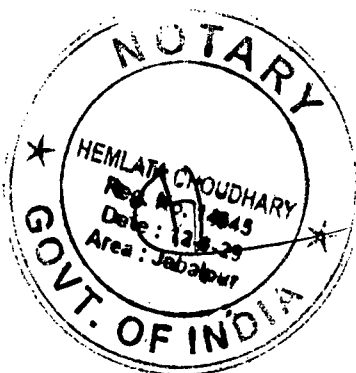
5.32 That it is important to mention here that the right to a fair investigation is a fundamental right guaranteed under Article 21 of the Constitution of India, which extends to the victim and their family. The present circumstances cast a grave doubt on the fairness and impartiality of the investigation so far, necessitating the intervention of this Hon'ble Court. Hence, instant petition for seeking preservation of the body and a second post-mortem, to ensure a fair and impartial investigation, on the following, among other, grounds.

6. Grounds urged:

6.1 For that, the first post-mortem report conducted by Respondent No. 5 is patently unreliable, vague, and riddled with inconsistencies. The failure to explain the presence of multiple antemortem blunt force injuries and a double, parallel ligature mark while concluding the cause of death as suicidal hanging is contrary to established principles of forensic science and raises a grave suspicion of foul play and manipulation.

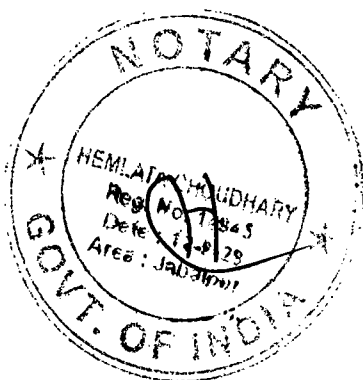
6.2 Because, the reasons for which the Second/Re-Post-Mortem/Autopsy is necessary in this case are as under-

- (i) The autopsy report Annexure P-3 and P-4, record multiple blunt force injuries over the left arm and forearm; however, there is no indication that a detailed dissection of the musculoskeletal structures was carried out to determine the depth, severity, and extent of the underlying injuries.



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- (ii) Despite the presence of a ligature mark on the neck, no X-ray examination of the neck was performed to assess possible damage to the neck structures, including the cervical spine, which is highly relevant in the present circumstances.
- (iii) The absence of the alleged ligature material for correlation with the neck injuries constitutes another significant gap in the investigation. Hence the First Autopsy is Incomplete, Inadequate and Unscientific.
- (iv) The examination of the stomach contents reportedly revealed no significant findings, such as any peculiar smell or notable changes in the gastric mucosa, yet the viscera was preserved for toxicological analysis. This raises concern as to whether the preservation of viscera is being used to defer the final opinion and prolong the investigation.
- (v) The findings relating to the lungs, face, and eyes, as mentioned in the report, appear inconsistent with the usual findings observed in cases of hanging and are more commonly associated with cases of suffocation or strangulation.
- (vi) The actual height of Late Smt. Twisha Sharma was between 172 - 173 cm, whereas the autopsy report records her height as 166 cm, thereby creating a substantial discrepancy.

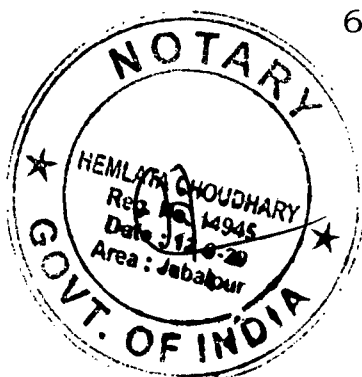


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- (vii) The report does not mention the age of the blunt force injuries, making it difficult to ascertain whether the injuries were fresh, recent, or old.
- (viii) Nail scrapings were collected for DNA examination, but neither the reasons for such collection nor any request from the police or the family have been indicated. This raises questions as to whether the doctors suspected resistance injuries or whether the process may unnecessarily delay the investigation or trial.
- (ix) The autopsy was not conducted by a panel of doctors, nor was any female doctor included in the team despite the relevant guidelines issued by the Supreme Court of India. The examination was reportedly conducted by one professor along with two junior resident doctors, although two senior female professors were available in the same department.
- (x) The husband of the deceased allegedly absconded after the autopsy, which further raises suspicion regarding his possible involvement. The possibility of offensive or defensive injuries on his body, cannot be ruled out and warrants proper investigation.

6.3 Because, from all the aforesaid reasons it is apparently clear that the First Autopsy is Incomplete, Inadequate and Unscientific.

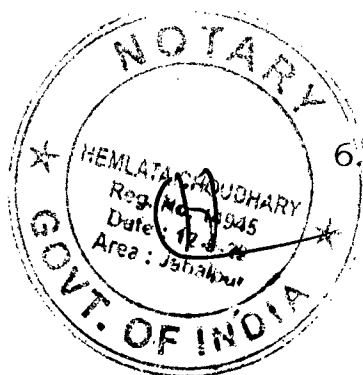
6.4 Because, it ought to have been seen that the presence of the accused and their medically qualified relatives at the hospital during the post-mortem examination creates a strong and



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reasonable apprehension of bias and undue influence over the doctors who conducted the said examination.

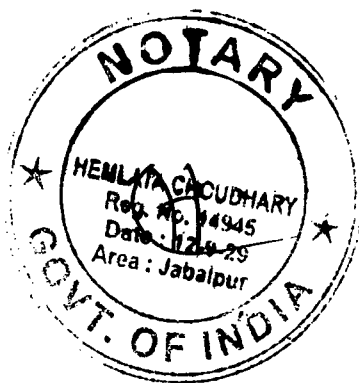
- 6.5 Because, it ought to have been seen that the influential status of the accused persons, one being a former Judge and the other an Advocate. In view of the above circumstances, the Petitioner and his family believes that a re-examination of the body of Late Smt. Twisha Sharma, through a second autopsy is essential to address these concerns in the interest of justice, fairness, and a proper investigation.
- 6.6 Because, as a matter of Advocate Enosh George Carlo and his office is representing, the accused persons Giribala Singh & Samarth Singh, in all the matters, including their anticipatory bail applications and the MCRC case filed with respect to it.
- 6.7 Because, the petitioner has also been informed on 21.05.2026 from various sources that the accused Samrath Singh has been practicing as a Junior Lawyer, with Advocate Enosh George Carlo and they are very close to each other.
- 6.8 Because, further as a matter of fact Dr. Arneet Arora is the Professor and Head of the Department of Forensic Medicine & Toxicology, AIIMS Bhopal, under which department the autopsies are conducted at AIIMS Bhopal.
- 6.9 Because, the petitioner has been further informed from various sources on 21.05.2026 itself, that in a matter related to POSH Act, initiated by Dr. Arneet Arora, Adv. Enosh George Carlo had represented her before the Internal Complaints Committee (ICC) of AIIMS Bhopal.
- 6.10 Because, the petitioner has on 21.05.2026 itself been further informed that with respect to the said complaint under POSH



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Act, in the Original Application, OA No. 183/2021, preferred before by the concerned doctor and decided by the Central Administrative Tribunal, Jabalpur Bench, Adv. Enos George Carlo and his local counsel at Jabalpur Advocate Deepak Kumar Raghuwanshi, have represented and defended Dr. Arneet Arora.

- 6.11 Because, from the aforesaid circumstances it is amply clear that Advocate Enosh George Carlo, with whom the accused Samarth Singh has been practicing as a junior lawyer, is also directly connected and well know to Dr. Arneet Arora.
- 6.12 Because, the petitioner has also been informed that at the time of the first autopsy, Advocate Enosh George Carlo was himself present at AIIMS Bhopal.
- 6.13 Because, as a matter of fact Mount Hospital, Bagmugaliya Bhopal, which is a well equipped hospital, is very close to the residence of the accused persons and lies, much before AIIMS, Bhopal. The Police Station Katara hills, is between the residence of the accused and the Mount Hospital Bhopal. In such a situation it was the duty of the accused, to first inform the Police Station Katara Hills and take Late Smt. Twisha Sharma, to the nearest hospital, i.e. the Mount Hospital or any other nearby hospital, for the possible treatment and/or autopsy. It is well settled position of law that in medico legal cases, the victim/affected person, shall be taken to the nearest possible hospital.
- 6.14 Because, the petitioner has also come to know that instead of the doctor who was on duty on the intervening night of 12th and 13th May 2026, for autopsy at AIIMS Bhopal, other doctors were called to conduct the first autopsy. This can be confirmed form the duty register of AIIMS Bhopal.



22 MAY 2025

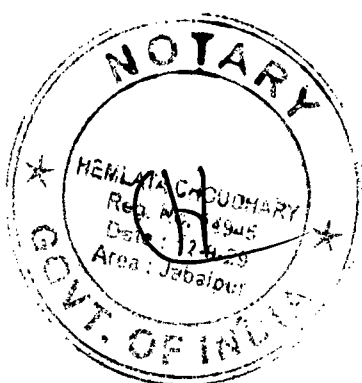
6.15 Because, under the aforesaid circumstances, the petitioner and his family has every reason to believe that having a nexus with Dr. Arneet Arora, Late Smt. Twisha Sharma, was deliberately taken by the accused persons to AIIMS Bhopal, to influence the investigation and her autopsy. Documents with respect to the aforesaid nexus are being annexed herewith as **Annexure P-19 to P-22**.

6.16 Because, the facts regarding the aforesaid nexus were not known to the petitioner, therefore the petitioner could submit them before the Court of JMFC Bhopal, while filing the Application Annexure P-11.

6.17 Because, all the aforesaid circumstances necessitate that the medico-legal examination be conducted by an independent and unimpeachable authority, i.e. by a Board of Forensic Experts/Doctors at AIIMS, New Delhi or any other institute of equal repute and prestige.

6.18 Because, if in any case, owing to the condition of the corpse, it is not possible to carry it from Bhopal, then the second autopsy can be conducted at AIIMS Bhopal itself by forensic experts and doctors from AIIMS New Delhi or AIIMS Jammu or any other institute of equal repute and prestige, to ensure that the investigation is free from any local influence.

6.19 Because, the petitioner has been informed from many sources that Professor Dr. Dinesh Rao, MBBS., DFM., MD., DNB., LLB., ACME., NAME[USA], presently working as Professor & HOD, Forensic Medicine AIIMS, Jammu, is one of the best expert in this field to conduct the second autopsy and the second autopsy can be conducted at Bhopal or any other place where the corpse of Late Smt. Twisha Sharma is kept preserved, by constituting a team under his leadership.



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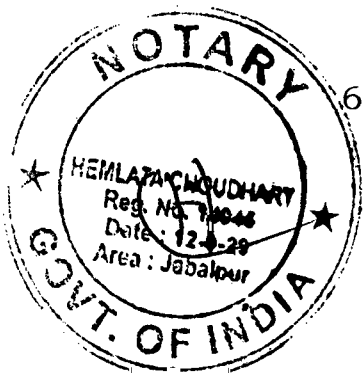
6.20 Because, it may be seen that the mortal remains of the deceased constitute the most crucial and primary piece of evidence in this case. The failure of the respondents to preserve the body in scientifically appropriate conditions and the delay in ordering a second post-mortem will lead to the destruction of this vital evidence, causing irreparable prejudice to the prosecution of the accused and the quest for justice.

6.21 Because, it is further necessary that if suitable facility of preserving the body of Late Smt. Twisha Sharma is not available anywhere in Madhya Pradesh, then the same shall be directed to be shifted and kept preserved under the required temperature, in any other medical institute/hospital/facility center anywhere in India, where the same can be shifted and preserved, with proper care and without any damage.

6.22 Because, there have been many incidences, where the second autopsy has been conducted even in such cases where the victim's corpse had already been buried/interred and directions have been issued to conduct such second autopsy by disinterring/exhuming the same, days after, when the same was buried/interred.

6.23 Because, it ought to have been seen that the right to a fair investigation is not only for the accused but also for the victim and their family. That a tainted or incomplete post-mortem report fundamentally prejudices the victim's family's right to seek justice and discover the truth behind the death of their daughter.

6.24 Because, it ought to have been seen that the right to a fair, impartial, and transparent investigation is a fundamental



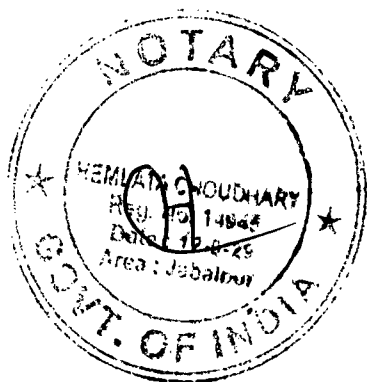
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right guaranteed to the victim and their family under Articles 14 and 21 of the Constitution of India. A flawed and suspicious post-mortem examination vitiates the entire investigative process and amounts to a denial of this fundamental right.

6.25 Because, the Court of JMFC Bhopal has passed the Order Annexure P-13, in an extremely mechanical way and without application of mind. The JMFC Bhopal has failed to consider that there is no impediment in conducting the autopsy outside its local jurisdiction and has further grossly erred in directing that the corpse of Late Smt. Twisha Sharma, be kept preserved in any institute or hospital having facility of, maintaining temperature of -80 Degree Celsius or other suitable temperature to preserve the corpse only within the State of Madhya Pradesh, which direction is not possible to complied with.

6.26 Because, it is humbly submitted that in view of the fact that every passing minute and hour, the possibility of the corpse of Late Smt. Twisha Sharma may start decomposing or may further decompose thereby hampering the possibility of the Second/Re-Post-mortem therefore, there is no option left for the petitioner then to seek the intervention of this Hon'ble Court for directing Second/Re-Post-mortem of Late Smt. Twisha Sharma and preservation of her corpse at any place where suitable facility of preserving the same at the required temperature is available, anywhere in the country

6.25 Because, the petitioner humbly submits that other grounds of petition if any shall be raised during the course of arguments.

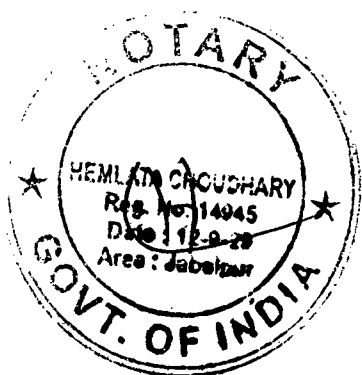


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7. Relief(s) sought:

In view of the facts and grounds mentioned above, the petitioner prays for the following relief:

- (i) Summon the entire relevant records pertaining to FIR No.0133/2026, dated 15.05.2026, registered at Police Station Katara Hills, Bhopal from the possession of the respondents, for its kind perusal;
- (ii) Issue the writ of mandamus or direction to the respondents herein to facilitate and ensure the conduct of a fresh/second post-mortem examination on the body of the deceased, Late Smt. Twisha Sharma, by a duly constituted Board of Doctors of the All India Institute of Medical Sciences (AIIMS), New Delhi or AIIMS Jammu or any other institute of equal repute and prestige; or by a team headed by Dr. Dinesh Rao, MBBS., DFM., MD., DNB., LLB., ACME., NAME[USA], presently working as Professor & HOD, Forensic Medicine AIIMS, Jammu, either at AIIMS Delhi or at AIIMS Jammu or at AIIMS Bhopal, or any such other Medical Institute/Hospital/Forensic Institute in India where, the corpse of Late Smt. Twisha Sharma is kept preserved under the required temperature.
- (iii) Issue the writ of mandamus or direction to the respondents to facilitate and ensure, that till the second/re postmortem/autopsy of Late Smt. Twisha Sharma is conducted as aforesaid, her corpse be shifted and kept preserved in any other medical institute/hospital/facility center anywhere in India, where the same can be shifted with proper care and without any damage and kept preserved, under the required temperature.



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- (iv) Any other order or orders that this Hon'ble Court deems fit and proper in the circumstances of the case may also be kindly passed.
- (iv) Award cost of the litigation to the petitioner.

8. Interim order/writ, if prayed for:

That till the final disposal of the instant writ petition, this Hon'ble Court may kindly be pleased to this Hon'ble Court may be pleased to direct the respondents herein to immediately secure and preserve the mortal remains of the deceased i.e. Smt. Tvisha Sharma, in a mortuary with appropriate refrigeration facilities and restrain them from releasing the body for cremation/burial or otherwise disposing of it, in the interest of justice.

9. Documents relied on but not in possession of petitioner:

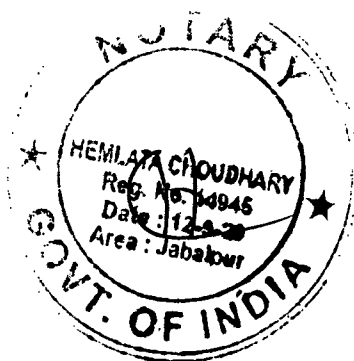
The petitioners declare that there is no such document's.

10. Caveat:

That, no notice of lodging a caveat by the opposite party is received.

Place-Jabalpur
Date- 22.05.2026


(Piyush Tiwari)
Counsel for the Petitioner



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