

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 6669/2026
CNR: RJHC010501022026
URN: CRLMB / 14743U / 2026

Madanlal S/o Late Shri Kanaram, Aged About 22 Years, R/o Adarshnagar Police Station Gulabpura, District Bhilwara, (Rajasthan) (At Present Lodged At District Jail Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. S.S. Sisodia.
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

21/07/2026

1. This application for bail has been filed by the petitioner under Section 483 of BNSS (old Section 439 of Cr.P.C.). The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	0414/2025
2.	Date of lodging FIR	17.12.2025
3.	Concerned Police Station	Gulabpura
4.	District	Bhilwara
5.	Offences alleged in the FIR	Section 80(2) of BNS, 2023
6.	Offences added, if any	Section 85 of BNS, 2023

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and false allegations have been levelled against him. He submits that as per the FIR, allegations are omnibus in nature. All other co-accused have been

discharged and petitioner alone has been made accused in the present case. He further submits that deceased Reshma @ Rekha wife of the petitioner committed suicide, however, the petitioner has no role to play in it. The petitioner has neither instigated the deceased to commit suicide nor there is any evidence of demand of dowry soon before her death.

2.1. While referring to the statement of the witnesses as recorded during investigation, it is submitted that none of the witnesses have levelled any allegation of dowry demand on the present petitioner and all the witnesses have asserted that petitioner used to drunk and quarrel with the deceased. That apart, there is only allegation of assault against the present petitioner. Learned counsel for the petitioner has also placed reliance on the judgment passed by the Supreme Court in the case of **Abhijit Pandey Vs. State of Madhya Pradesh and Anr., reported in 2026 INSC 83.**

2.2. Based on the above submissions, it is contended that the petitioner is in judicial custody since 30.01.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Per contra, learned Public Prosecutor vehemently opposes this bail application and submits that the petitioner is the principal accused in the present case. He submits that there is allegation of cruelty, harassment and causing continuous assault to the deceased, which forced her to take such drastic step of committing suicide and therefore, even if prima facie the allegation of instigation soon before death is ignored for a moment

yet, the case of cruelty is made out against the petitioner and therefore, at this stage, looking to the nature of allegation and the crime committed, the petitioner is not entitled to be enlarged on bail.

5. Heard learned counsel for the petitioner and learned Public Prosecutor and perused the material available on record.

6. Having considered the rival submissions, facts and circumstances of the case and after perusing the challan papers so also considering the fact that the allegation against the petitioner is of cruelty and dowry death, which resulted her wife to commit suicide; petitioner's own uncle has stated that petitioner used to regularly beat deceased and was heavy drinker; there is allegation of demanding money by the petitioner and this fact is stated by the witness Pappu Lal (uncle of the petitioner) in his statement; apart from the allegation of Section 80(2) of BNS, 2023 there is allegation of Section 85 of BNS, 2023 and prima facie there is evidence against the petitioner of causing cruelty, which resulted in the death of deceased, without further commenting on merits / demerits of the case, this Court is not inclined to grant bail to the petitioner at this stage.

6.1. So far as the judgment relied upon by learned counsel for the petitioner is concerned, the same is distinguishable on facts and is, therefore, inapplicable to the present case. In the said case, no allegation of dowry death was made at the initial stage and FIR was lodged only alleging the offence of abetment of suicide. In contrast, the present case involves specific allegations of cruelty and dowry death. Moreover, the factual matrix,

particularly with regard to the cause and circumstances of the deceased's death, is materially different.

7. Accordingly, the present bail application is dismissed.

(SUNIL BENIWAL),J

18/RAKESH MATHUR/303