

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 7439/2026
CNR: RJHC010558042026
URN: CRLMB / 16352U / 2026

Janaki Lal S/o Dev Kishan, Aged About 34 Years, Resident Of
Acharya Mohalla, Padampura Ka Rasta, Kachhaura, Police Station
Kachhaura, District Bhilwara (At Present Lodged In Dist. Jail
Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Anirudh Krishan Choudhary Ms. Kiran
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

06/07/2026

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	0081/2026
2.	Date of lodging FIR	23.04.2026
3.	Concerned Police Station	Kachhola
4.	District	Bhilwara
5.	Offences alleged in the FIR	Sections 85 and 108 of BNS, 2023
6.	Offences added, if any	--

2. This Court vide order dated 12.06.2026 directed the public
prosecutor to procure the case diary alongwith FSL report. It is

noted that subsequent to the said order, the police concluded the investigation and submitted final report / charge-sheet on 28.06.2026, however, the FSL report is not available along with the charge-sheet. On being asked, learned Public Prosecutor submits that the FSL report is still awaited. The purpose of seeking FSL report was to ascertain the cause of death of deceased Uma.

3. Learned counsel for the petitioner submits that though the FSL report is still awaited, yet, the case of petitioner is required to be considered for grant of bail. While arguing the bail application, it is contended that the petitioner has falsely been implicated in the present case and false allegations have been levelled against him. There is no prima facie material available before the investigating agency so as to arrive at a conclusion that the petitioner has administered any poisonous substance, which resulted in sudden death of deceased Uma. He argued that the relation between the petitioner (husband of deceased) and deceased Uma were cordial. He submits that just one day prior to the unfortunate incident, the petitioner along with deceased Uma, his parents and their children had attended a marriage in neighbourhood.

3.1. While referring to the statement of child of the petitioner, it is submitted that Master Sanskar in his statement has clearly indicated that the relation of the present petitioner so also his grand parents were cordial with her mother. He has also stated that his mother was having stomach pain and was vomiting and his father was again and again taking his mother to hospital.

3.3. Learned counsel for the petitioner submits that statement of the neighbours were also recorded wherein too it is stated by them that they never heard any quarrel between the petitioner and deceased Uma.

3.4. He further submits that the police has concluded the investigation and no case under Section 85 BNS, 2023 is made out and as far as allegation of offence under Section 108 BNS, 2023 (abetment of suicide) is concerned, there is neither any evidence of instigation nor there is any evidence to suggest that there was any forceful administration of poison, which resulted in death of deceased Uma.

Based on the above submissions, it is contended that the FIR has been lodged on false and frivolous allegations. The petitioner is in judicial custody since 01.05.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

4. Per contra, learned Public Prosecutor vehemently opposes this bail application and submits that the principal accused in the present case is petitioner – Janki Lal. He argued that the investigation revealed that the petitioner was in illicit relation with one lady 'M'. Moreover, certain photographs of such illicit relation were recovered from the mobile of the present petitioner, which further strengthens the prosecution story and the conclusion arrived at that the petitioner some how wanted to oust deceased Uma from his life. Based on the above submissions, it is contended that looking to such serious allegations, 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 actual cause of death is yet to be ascertained as FSL report is still awaited so also considering the material procured during investigation indicating illicit relation of the petitioner with one lady 'M', the involvement of the petitioner in the present offence at this stage cannot be ruled out. Therefore, no case for grant of bail is made out.

7. Accordingly, the present bail application is dismissed. However, the petitioner would be at liberty to move a fresh bail application after the FSL report is received.

(SUNIL BENIWAL),J