

RAJASTHAN HIGH COURT



सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR

S.B. Criminal Misc. Second Bail Application No. 5012/2026

Uday Singh S/o Shreelal, R/o Dalilpur, Police Station Kudgaon,  
District Karauli (Raj.) (Presently Confined In District Jail,  
Karauli).

-----Petitioner

Versus

The State Of Rajasthan, Through PP

-----Respondent

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|-------------------|---|--------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Navdeep Singh with<br>Ms. Bhuvaneshwari<br>Ms. Karishma Pareek |
| For Respondent(s) | : | Ms. Arti Sharma, PP                                                |

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**HON'BLE MR. JUSTICE ANIL KUMAR UPMAN**

**Order**

**05/05/2026**

1. This second bail application under Section 483 BNSS has been filed on behalf of the accused petitioner who is in custody in connection with FIR No.14/2025 registered at Police Station Kudgaon, District Karauli for offences under Sections 85, 103(1), 238(a), 189(2) & 351(3) of the Bharatiya Nyaya Sanhita, (in short 'BNS') 2023. After completion of investigation, police filed charge-sheet in this case for offences punishable under Sections 103(1), 80(2), 238(a), 352, 351(3) & 189(2) of the BNS, 2023.
2. The first bail application filed on behalf of the petitioner was dismissed by this Court on merits vide order dated 04.08.2025. Now, this second bail application has been filed on behalf of the petitioner.

3. Learned counsel for the petitioner submits that the accused petitioner has falsely been implicated in this case. He submits that the petitioner has not committed any offence and he has been roped in this case solely on the basis of suspicion. It is contended that there is no evidence available on record suggesting that the deceased was ever subjected to cruelty by the petitioner. As a matter of fact, the deceased committed suicide as she was being harassed by one Ankit Meena, with whom, earlier she was in love affair but later on, he started blackmailing her. It is also argued that with the consent of the family members including parents of the deceased, cremation of the dead body was performed. Neither the petitioner nor his family member pressurized or forced anybody for not conducting the postmortem of the dead body. It is submitted that there are no criminal antecedents against the petitioner and there is bleak chance of culmination of trial in near future as till date, only 6 prosecution witnesses have been examined out of 38 cited prosecution witnesses. Counsel submits that the petitioner is in custody since 08.02.2025 and as such, he has already suffered incarceration of about 15 months and no fruitful purpose would be served by keeping him behind the bars.

4. Per contra, learned Public Prosecutor opposes the submissions advanced on behalf of the petitioner. It is submitted that the deceased died under unnatural circumstances at her matrimonial home. During the course of the trial, some prosecution witnesses, including the complainant, have been examined and they have supported the prosecution's case. Counsel submits that the maternal uncle (*Mama*) of the deceased

has categorically stated that the petitioner and his family threatened him with dire consequences if he reported the incident. They also refused to allow the post-mortem examination of the deceased. Counsel submits that when the petitioner and his family learned that the deceased's family had informed the police, they reportedly panicked and hastily conducted her cremation, without following the prescribed Hindu rituals, apparently to conceal the facts. It has also been stated that the petitioner and his family did not permit the deceased's family to see her body. However, the family managed to see it and observed multiple injuries on the person of the deceased, including marks on her neck, nose, chest, and eyes. It is submitted that according to the charge-sheet, the petitioner gave beatings to the deceased due to which, she died in her matrimonial home. Counsel further submits that the earlier bail application of the petitioner was dismissed by this Court on merits after considering all the material facts and circumstances and as such, there is no substantial change in circumstances for entertaining the second bail application. Counsel thus, prays that the bail application be dismissed.

5. I have heard the contentions and perused the material available on record.

6. Having regard to the totality of the facts and circumstances of the case and considering the arguments advanced at bar, especially considering the material available on record which prima facie discloses commission of grave and serious offence, including testimony of the prosecution witnesses recorded during the course of trial wherein, it has been stated by the witnesses

that there were several marks of injuries on the person of the deceased and that the petitioner and his family members were against getting the postmortem conducted over the dead body and in haste, conducted the cremation without following the prescribed Hindu rituals, so also the fact that earlier bail application of the petitioner was dismissed by this Court after taking into consideration all the material facts, but without making any comments on the merits/demerits of the case, this Court is not inclined to change its earlier view and enlarge the petitioner on bail.

7. Accordingly, this second bail application stands dismissed.

8. The observations made herein are only for decision of the bail application and would not prejudice the trial in any manner.

(ANIL KUMAR UPMAN),J