

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2287 of 2023

Applicant :- Savitri Singh

Opposite Party :- State Of U.P. Thru. Prin. Secy. Lko And
Another

Counsel for Applicant :- Sukh Deo Singh, Paritosh Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Paritosh Shukla, the learned counsel for the applicant as well as Sri Anant Pratap Singh, the learned Additional Government Advocate appearing on behalf of the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.251 of 2023, under Sections 498-A, 304-B I.P.C. read with Section 3/4 Dowry Prohibition Act, registered at Police Station Lambhua, District Sultanpur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 05.08.2023 against six persons, including the applicant and her family members, stating that the informant got his daughter married to the applicant's son co-accused Chandan Singh on 05.05.2018; that all the accused persons used to harass her for demanding dowry and they killed her on 04.08.2023.

4. The postmortem examination report of the deceased mentions a ligature mark around her neck, besides an abrasion on mid forehead and the cause of death has been opined to be strangulation.

5. In the affidavit filed in support of the anticipatory bail-application it has been contended that the applicant is innocent, she has no criminal history and she has falsely been implicated in the present case.

6. The learned counsel for the applicant has submitted that one of the co-accused Ajay Singh has been granted regular bail by this court by means of an order dated 11.10.2023 passed in Criminal Misc. Bail Application No.12139 of 2023.

7. The learned A.G.A. has opposed the prayer for bail and he has submitted that the alleged offence committed by the applicant is heinous in nature.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the deceased has suffered injuries other than ligature mark also and the cause of death has been opined to be strangulation and that the applicant is mother in law of the deceased, I am of the view that the aforesaid facts do not warrant exercise of discretion of this court for granting pre-arrest to the applicant.

9. The anticipatory bail application is accordingly **rejected**. However, in case the applicant moves a regular bail the same shall be considered and decided without being influenced by any observations made by this court in this order.

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(Subhash Vidyarthi, J.)

Order Date :- 18.10.2023
Ram.