

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS  2026:UHC:2475
			<u>BA 1st No.207 of 2026</u> "Hemlata Vs. State of Uttarakhand" <u>Hon'ble Ashish Naithani, J.</u> Mr. Hanspuneet, learned counsel through VC with Mr. Nalin Saun, learned counsel for the Applicant. 2. Mr. Dinesh Chauhan, learned DAG, for the State of Uttarakhand. 3. Mr. G.C. Lakchaura, learned counsel for the Complainant. 4. In the High Court of Uttarakhand, the present case arises from Bail Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail for the Applicant – Hemlata, who has been accused in Case Crime/FIR No.0186 of 2025, dated 09.07.2025 under Sections 103 (1), 238, 61 (2) of BNS, 2023, at Police Station Doiwala, District Dehradun. 5. As per the FIR, prosecution story is that the Applicant – Hemlata, induced rat poison in the alcohol, and made the deceased to drink the same, and thereafter, he drowned him in the river; as per the post-mortem report, the cause of death has been shown due to drowning, and the viscera report was preserved from the body parts of the deceased. The FSL report indicates, which was conducted on the body parts of the deceased specifically "a glass jar contains putrefied tissue said to be part of stomach and its contents and pieces of small intestine of deceased", "liver, kidney and spleen along with a glass bottle labelled as McDowell's No.1 whisky, containing dirty yellowish liquid along with greyish deposits :- resulting in

		a positive finding of “Aluminum Phosphide & Ethyl Alcohol Poison” have been detected in the preserved body parts of the deceased. 6. The main grounds that were advanced by the learned counsel representing the Applicant is that the Applicant has been falsely roped in the present matter, and there is no link that there are no grounds or evidence that could link the Applicant – Hemlata with the present crime of getting her husband poisoned and brutally killed in the manner as narrated in the FIR. It is stated that it is the Complainant/wife who had lodged the missing report regarding her husband – Late Narendera Singh, and in return she was falsely accused of having an illicit relation with a person, namely, Gufran; further false allegation that she made Gufran do her dirty work by inducing rat poison in the alcohol and making the deceased drink, and thereafter, drowned him in the river. As per records so far that the Applicant has no motive in the present matter or the cause of death in any manner, it has been pleaded that the Applicant may be enlarged on bail. 7. Learned State Counsel refutes to the submissions made by the learned counsel for the Applicant in his favour. Firstly on the ground that the FSL report clearly indicates that the deceased was poisoned and the poison was induced in the alcohol, which he was forced to drink and thereafter his body was thrown in the river and made him drowned, which was the cause of his death. 8. Learned counsel for the Complainant, who is assisting the learned State Counsel submits that though the missing persons report had been lodged by the Complainant/wife on 01.07.2025, and his dead body was recovered on 01.07.2025
--	--	--

		and thereafter on 04.07.2025, the family members of deceased Narendra Singh were called by the Police to identify the same. Initially, the Applicant did not come into the picture, but later during the course of investigation, her role become vivid and clear when her call detail records were scanned. There was a noted repetitive communication with one Gufran, who is co-accused in the present matter and as per call detail records the location of the Gufran was also traced at the scene of the crime during the period of the said incident, at the site of the incident one quarter glass bottle of liquor whisky after the dead body of the deceased was found on the water body. An autopsy was conducted, the cause of death was shown to be drowning but since the cause was unnatural, to rule-out any possibility the viscera was preserved and sent for the Forensic Science Laboratory along with the recovered quarter bottle of liquor whisky. The result was startling as poisonous substance was found in the body parts, which was sent for the examination in the FSL alongwith whisky bottle which contained alcohol, compound of the rat poison was found i.e. Aluminum Phosphide and Ethyl alcohol. Thus, it is requested that the Applicant in connivance with the co-accused Gufran, has committed a serious offence and bail should not be granted to her. 9. After hearing the rival submissions of the parties, this Court is of the view that in the present matter, at this juncture, the ground of bail are not found to be sufficient. Firstly, there appears to be linkage with regards to CDR report and there is a positive finding of traces of poison in the parts of the body of the deceased which was sent for the Forensic Science Laboratory. Further the story of the prosecution also holds water at this juncture that the poison was induced in the bottle of the
--	--	--

		Alcohol, namely, McDowell whisky, quarter glass bottle was recovered, and which was also sent for the FSL along with the Viscera, which was found positive. 10. Without going into the merits of the case, this Court finds grounds for bail not sufficient. Consequently, the bail application is rejected. (Ashish Naithani, J.) 06.04.2026 Nitesh/
--	--	--

--	--	--	--