



2026:UHC:4510

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/517/2026</u> <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. B.S. Adhikari, learned counsel for the applicant. 2. Mr. Pratiroop Pandey, learned A.G.A. for the State. 3. Mr. Shueb Ali, learned counsel for the complainant. 4. Present applicant Arun is praying for regular bail in reference to FIR dated 15.06.2025, bearing Case Crime No. 641 of 2025, P.S. Laksar District Haridwar wherein the present applicant has been implicated for the offence punishable under Section 80(2) of BNS 2023. 5. Brief facts of the case are that the present applicant married with the deceased on 23.11.2023 and at that time there was no demand of dowry. After marriage the deceased was suffering with some ailment and her right side of body got paralyzed for which she was treated in Shri Guru Ram Rai Hospital Dehradun from 03.07.2024 till 12.07.2024. Thereafter she was under regular treatment and the Doctor opined that she is suffering from "acute infarcts involving corona radiata on left side, left ganglio-capsular region, left periventricular and periventricular frontal regions." The copy of medical report is also enclosed as annexure-1. Subsequently, she was given treatment in Dhampur, U.P. and then was also under medical treatment in Manglam Hospital at Saharanpur. The medical prescription and report are also enclosed as annexure-2. A local physiotherapist 'Furkan' was also given treatment to her and since the deceased was very upset from her continuous illness and unfortunately died on 13.06.2025 by consuming Aluminum Phosphide (salphos) which was there in the house for using in crops as insecticides and immediately she was admitted in local nursing home and then referred to Maxwell Hospital Bahadrapur,



			Haridwar where Doctor declares that she is dead. 6. Learned counsel for the applicant submits after the incident applicant gave an information to the brother of the deceased then the body of the deceased was cremated on 15.06.2025 and on the same day the FIR was lodged by the father of the deceased. He submits that during investigation the applicant and his family members categorically stated before the I.O. that only because of the continuous illness she perhaps consumed salphos . He submits that after completion of investigation charge sheet has been filed on 13.12.2025 wherein the trial court already took cognizance. He further submits that the applicant was arrested on 08.12.2025 and since then he is languishing in jail. 7. It is further argued by the learned counsel for the applicant that charge sheet has already been filed under Section 80(2) of BNS 2023 though charge sheet has been filed in a very mechanical manner and there is no ingredient to constitute the offence punishable under Section 80(2) of BNS 2023. He further submits that even as per the prosecution, there was no injury marks on the body of the deceased and in fact she died only because of consuming of salphos. He submits that there is no material or evidence with regard to cruelty or harassment by the applicant being husband even against any member of the family and there is no evidence with regard to the demand of dowry and whatever be the cause for consuming poison this is only because of the fact that deceased was under continuous illness and treatment. He further submits that there are only two witnesses who are completely stranger to the family and are neighbor of the applicant and they stated that the applicant commented on the deceased and that may be the reason that she consumed poison. 8. On the other side, Mr. Pratiroop Pandey, learned A.G.A. submits that there are sufficient materials against the present applicant and admittedly the deceased died within the period
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		of seven years of her marriage. He also fairly submits that only because of the statement of two witnesses though not related to the family of the deceased the charge sheet has been filed. 9. Counsel for the complainant adopt the same argument as advanced by Mr. Pratiroop Pandey, learned A.G.A. 10. This is an admitted fact that deceased died due to consumption of poison. Admittedly in this case charge sheet has already been filed and applicant is languishing in jail since 08.12.2025 and cognizance has also been taken, therefore, when charge sheet has been filed there is no need of further custodial interrogation of the applicant and therefore this Court is of the view that applicant deserves for bail. 11. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 12. Let the applicant 'Arun' be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned. (Rakesh Thapliyal, J.) 05.06.2026 Parul
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