

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010069972026  2026:UHC:7681 COURT'S OR JUDGE'S ORDERS
			<u>BA1/702/2026</u> Piyush Singh --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Lalit Sharma with Mr. Rajat Mittal and Ms. Anmol Sandhu, learned counsel for the applicant. 2. Mr. Pratiroop Pandey and Mrs. Rangoli Purohit, learned AGA for the State. 3. Mr. Naitik Bhatt, learned counsel for complainant. 4. The instant bail application is moved on behalf of the applicant Piyush Singh, S/o D.P. Singh for seeking regular bail in reference to first information report dated 05.04.2026 bearing Case Crime No.70 of 2026 wherein the present applicant is implicated and charge sheeted for the offences punishable under Section 85 read with Section 108 of BNS, 2023. Initially the FIR was lodged for the offence punishable under Section 80(2) of BNS, 2023 in which the present applicant's mother and his brother, brother's wife and son were implicated however during investigation all of them have been exonerated except one, the present applicant, who is charge sheeted. 5. It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated and the deceased the wife of the applicant, who was serving as a Project Officer in the Government

			Department was in a mental stress since there was a departmental inquiry with regard to an incident of theft in her workplace on which recently, the first information report is also lodged. In addition to this, it is argued that the deceased was suffering from epilepsy and this fact has also been verified by one Dr. Anil Prakash of Indresh Hospital, whose statement were recorded during investigation and stated that the deceased visited his clinic on 02.03.2026 and complaining of extreme mental stress and also about suicidal thoughts. It is further pointed out that during investigation the statement of one Dr. Vinit Kumar Gupta was also recorded, who confirmed that the deceased suffered from chronic epilepsy and was brought to his clinic for treatment by her mother-in-law. Apart from this, learned counsel for the applicant also relies on the deceased personal Google search history, which shows that she had searched “क्या पुलिस गूगल कोरडिनेट निकालकर ये पता लगाया जा सकता है कि दो लोग किस डेट को कहां और कितने बजे मिले थे” (can the police use Google coordinates to find out that where and at what time two people met?). By referring the aforesaid Google search by the deceased, it is argued that Google search history this itself reveals the personal anxiety of the deceased. A Supplementary affidavit is also filed by enclosing numerous whatsapp chats and photographs displaying family member’s happiness including certain photographs of celebrating Holi Festival on 04.03.2026. It is further submitted that even the charge sheet submitted by the police give the reference of certain CCTV footages one
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		day prior to the incident i.e. of 04.05.2026 proving the normal behavior in between the family members and which itself reveals that there was absolutely peaceful domestic atmosphere between the couples. He further submits that actual act of suicide by hanging herself by the deceased was also captured on the CCTV footages from which it does not reveal that there was any forceful act from the side of the applicant. He further submits that not only this after this incident, the deceased was took to Synergy Hospital by the applicant and from where she was sent to Government Hospital, which was also admit by the informant. He also submits that from their marriage, the applicant have two children and now the charge sheet has been filed and the present applicant is languishing in jail since 07.04.2026 and as such there is no need of further custodial interrogation, therefore, the applicant be released on bail. 6. On the other side, Mr. Naitik Bhatt, learned counsel for the complainant as well as Mr. Pratiroop Pandey and Mrs. Rangoli Purohit, learned AGA for the State vehemently opposed the bail application and submits that the <i>whatsapp</i> conversation in between the applicant and the deceased showing that the applicant frequently harass the deceased and repeatedly threatened to divorce her. It is further submitted that the argument, as advanced by learned counsel for the applicant that the deceased was of a suicidal tendency, is an imaginary story. 7. Learned counsel for the complainant, at this juncture also pointed out that the applicant and his family members restricted
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		the deceased from visiting her matrimonial home keeping her isolated from her primary support system. 8. Apart from this, it is argued by learned counsel for the complainant that the voice recording retrieve from the electronic device clearly establishes that the applicant always abuses the deceased and also cause mental torture and regular harassment. Apart from this it is also pointed out that the post mortem report reveals that primarily cause of death is due to ante mortem hanging but also reveals the injury mark particularly the injury no.2. The injury no.2 as reflected from the post mortem report is as under:- “Injury no.2- an abrasion of size 3cm x 2 cm present below the right side of the jaw, 5 cm right from the right ear, radish-brown in colour. 9. It is argued that the fresh physical injury establishes immediate physical violence proceeding the suicide fulfills the ingredients of abetment under Section 108 of BNS 2023, therefore, taking into consideration the injury as above, the applicant does not deserve for bail. 10. Heard the rival submissions of learned counsel for the parties and perused the record including the supplementary affidavit, the whatsapp chats, the post mortem report and the statement of the doctors. 11. At this stage, when this Court is hearing the bail application, no opinion can be given to the evidence, as produced by the prosecution at this stage and this Court must balance the liberty of the accused at the stage
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		when this Court is hearing the bail application. The prosecution case is on the voice recording, hostile whatsapp chats and the physical abrasion (injury no.2) as reflected from the post mortem report establishes the direct chain of harassment but all these aspects are the subject matter of trial. To ascertain the charge under Section 108 of BNS, 2023, there must be a clear active or direct instigation that left the deceased with absolutely no choice but to take her own life. The independent medical testimonies of two doctors Dr. Anil Prakash and Dr. Vinit Kumar Gupta also establishes that the deceased had a recorded history of chronic depression, active suicidal tendency and also suffering from epilepsy. The record also reveals that she was also in mental stress due to an incident, which was happened in her work place regarding which recently first information report was lodged bearing Case Crime No.0129 of 2026 though prior to that there was also departmental inquiry. This Court also examined the Google coordinate search history of the deceased that is also subject matter of trial and no definite opinion can be given on this. Furthermore, initially the case was registered for the charge of dowry death but admittedly it was dropped by the prosecution itself and all the accused persons, who are named in the FIR have been exonerated except the applicant and now the investigation is complete and the charge sheet has been filed and the applicant is languishing in jail since 07.04.2026 and further custodial detention is no longer required and certainly trial will take
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			considerable time to conclude, therefore, this Court is of the view that applicant has made out a case for grant of bail. 12. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 13. Let the present applicant-Piyush Singh 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 subject to the following conditions:- i. After being released on bail applicant shall join the trial court proceeding on each and every date without seeking any unnecessary adjournment. ii. The applicant shall surrender his passport, if any, with the trial court within three days after being released on bail. ii. The applicant shall not give any threatening to the informant and other family members and will not temper with the evidence. 14. The trial court is free to proceed and conclude the trial without being influenced with the observation, as above. 15. In breach of any such conditions as aforesaid, the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 24.08.2026 Arti
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