2026:AHC:227669

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6455 of 2026

Manmeet @ Goldi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Neeja Srivastava
Counsel for Opposite Party(s)	:	Sr. Advocate

Court No. - 74

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Heard Sri V.P. Srivastava, learned Senior Advocate, assisted by Ms. Neeja Srivastava, learned counsel for the applicant, Sri Ajay Singh, learned A.G.A.-I for the State and perused the record.

3. This second bail application has been filed by the applicant- Manmeet alias Goldi, seeking enlargement on bail during trial in S.T. No. 3008 of 2025, State vs. Manmeet alias Goldi, arising out of Case Crime No. 67 of 2025, under Section 85, 80(2), 115(2), 352, 351(2) BNS (old corresponding Section 498A, 304B, 323, 504, 506 I.P.C.), registered at P.S. Delhigate, District- Aligarh.

4. The first bail application of the applicant being Criminal Misc. Bail Application No.23936 of 2025 was rejected by this Court vide order dated 01.09.2025.

5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is submitted that the deceased Smt. Saloni died in her maternal house. It is further submitted while placing the statement of the first informant Arjun Singh recorded as P.W.-1 before the trial court that he in his cross-examination has stated that his daughter Smt. Saloni died in her maternal house by committing suicide, the said statement has been placed before the Court which is Annexure No. 13 to the affidavit in support of this bail application. It is submitted that thus looking to the fact that the deceased died in her maternal house,

implication of the applicant in the present matter is without any credible evidence. It is submitted that the applicant is having no criminal history as stated in para-35 of the affidavit and is in jail since 07.06.2025.

6. Per contra, learned A.G.A. opposed the prayer for bail and the submissions of learned counsel for the applicant and submitted that the fact that the deceased died in her maternal house is a fact mentioned in the F.I.R. itself and the said fact has been duly considered by this Court while rejecting the first bail application of the applicant. It is submitted that the first bail application has been rejected by a detailed order on merits vide order dated 01.09.2025. It is submitted that the first informant has supported the prosecution case while being examined before the trial court and appreciation of the said statement is for the trial to do at the appropriate stage. It is submitted that there is no fresh and new ground which may be considered for entertaining the second bail application of the applicant and, therefore, the same be rejected.

7. After having heard learned counsels for the parties and perusing the record, it is evident that this is the second bail application. The first bail application of the applicant was rejected by this Bench vide order dated 01.09.2025. The same reads as under:-

"*1. List revised.*

2. Heard Sri Brajesh Kumar Solanki, learned counsel for the applicant, Sri Ashutosh Kumar Mishra, learned counsel for the first informant and Sri Bade Lal Bind, learned counsel for the State and perused the material on record.

3. This matter is nominated to this Bench vide order dated 16.07.2025 by Hon'ble The Chief Justice.

4. This bail application under Section 483 of B.N.S.S., 2023 has been filed by the applicant- Manmeet @ Goldi, seeking enlargement on bail during trial in connection with Case Crime No. 67 of 2025, under Section 85, 80(2), 115(2), 352, 351(2) B.N.S., Police Station Delhigate, District Aligarh.

5. The first information report of the present matter was lodged on

21.03.2025 by Arjun Singh against the applicant and 05 other persons alleging therein that his daughter Saloni went from the house on 23.08.2024 without informing anyone. He got missing report lodged on 24.08.2024 about it after which he came to know that on 13.02.2023 she had silently without informing anyone in the family married Manmeet @ Goldi (the present applicant) but still she was living in the house. On 23.08.2024 she went to her matrimonial house and started discharging her duties therein. The accused persons were not happy with the marriage and used to physically & mentally torture and assault her. There was demand of a car and Rs. 10 lakhs as dowry from her. After the said demand somehow the informant gave Rs. 4 lakhs to her in-laws but still the accused persons did not stop her torture and used to send her often to her maternal house. They used to threaten her that if their demand is not fulfilled they would murder her or implicate her family members in some criminal case. About 1.5 months back due to demand of dowry she was thrown out of her matrimonial house. She was living under stress in her maternal house. On 19.03.2025 in the night due to torture of the accused persons she locked the door and after having a whatsapp video chat consumed some poisonous substance. She was taken to the hospital and admitted there where during treatment on 20.03.2025 in the afternoon she died.

6. Learned counsel for the applicant submitted that although the applicant is the husband of the deceased but he has been falsely implicated in the present case. It is submitted that the investigation in the matter has concluded and charge-sheet has been submitted only against the applicant but the other 05 co-accused persons have been exonerated. It is submitted that the victim was living under stress and since she was disowned by her father and an article regarding it was published in the newspaper, she was under immense stress and committed suicide and died. It is submitted that the marriage between the applicant and the deceased was a love marriage and thus there was no reason for demand of dowry. It is submitted that the cause of death of the deceased could not be ascertained in the postmortem examination report and viscera was preserved which after examination was found to contain organochloro insecticide and thus the factum of her committing suicide and consuming poison gets fortified. The applicant has no criminal history as stated in

para 16 and is in jail since 10.06.2025.

7. Per contra, learned counsel for the first informant and learned counsel for the State vehemently opposed the prayer for bail. Learned counsel for the first informant submits that even earlier the victim had given an application to the S.S.P., Aligarh on 09.12.2024 regarding the applicant torturing, assaulting and demanding dowry on which vide order dated 09.12.2024 of the S.S.P. the matter was referred to the mediation centre wherein parties had appeared but no settlement could arrive between them. It is submitted that the applicant is the husband of the deceased and there are allegations of his torture and assault on the victim and also of demand of dowry. It is submitted that the investigation in the matter has concluded and charge-sheet has been submitted against the applicant.

8. After having heard learned counsel for the parties and perusing the record, it is evident that the applicant is the husband of the deceased. The allegation against the applicant and other co-accused persons was of torturing, assaulting and demand of dowry from the deceased. She thus left the house and was living in her maternal house. Even previously on 09.12.2024 a complaint was made by the victim herself to the S.S.P. concerned regarding torture & assault and demand of dowry which was referred to Mediation Centre of the District but the mediation could not succeed. The case is of continuous demand of dowry and torture by the applicant and other family members. The investigation in the matter has concluded and charge-sheet has been submitted. The deceased died within seven years of marriage. No ground for bail is made out.

9. Looking to the facts and circumstances of the case, this Court does not find it a fit case for bail, hence, the bail application is rejected.

10. Pending application (s), if any, shall stand disposed of."

8. Trial in the matter is going on in which the first informant has been examined as P.W.1 and appreciation of the version given by him before the trial court cannot be done in a bail application. The fact that the deceased died in her maternal house is a case of prosecution from its inception as it finds place even in the F.I.R. and the same has been duly considered in the order rejecting the first bail application. Law with

regard to evidence recorded in the trial cannot be considered in a bail application is trite. The Apex Court in the cases of ***Satish Jaggi Vs. State of Chhatishgarh: (2007) 11 SCC 195, Shobha Namdev Sonavane vs. Samadhan Bajirao Sonvane and others:2026 INSC 181*** and ***Zeba Khan Vs. State of U.P.: 2026 INSC 144*** has held that appreciation of evidence in a bail application cannot be done. The same is for the trial court to do at the appropriate stage. There is no fresh and new ground in the present second bail application.

9. In view of the same since no fresh and new ground is pleaded or argued by learned counsel for the applicant, the present second bail application is rejected.

10. Pending application(s), if any, shall stand disposed of.

(Samit Gopal,J.)

November 2, 2026
Naresh

Digitally signed by :-
NARESH KUMAR
High Court of Judicature at Allahabad