2026:AHC:208913

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 40542 of 2025

Rukam Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Jitendra Singh
Counsel for Opposite Party(s)	:	G.A., Mohd. Hasham

Court No. - 67

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Shri Jitendra Singh, learned counsel for the applicant, Shri Syed Faiz Hasnain, holding brief of Shri Mohd. Hasham, learned counsel for the first informant and Shri B.P. Singh, learned AGA for the State.

2. The present application has been moved seeking bail in Case Crime no. 63 of 2025 under Sections 103(1), 238, 122 of I.P.C., Police Station Kaila Devi, District Sambhal, with the prayer that in the event of arrest, applicant may be released on bail.

3. It is contended by learned counsel for the applicant that the applicant himself lodged a report regarding missing of his wife and her dead body was recovered after three days of the said report. It is further submitted that there is no evidence regarding extramarital affairs of the applicant and therefore, there is no motive to commit offence. It is further submitted that the applicant and the victim were living happily married life for the last ten years and three children have been born out of the said wedlock and it is highly unbelievable and improbable that the applicant could have murdered his wife. It is further submitted that the applicant is languishing in jail since 08.04.2025 and till date not a single witness has been examined and the trial is not likely to conclude in near future.

4. On the other hand, learned counsel for the first informant and learned AGA have opposed the application for bail and it has been submitted by them that the applicant himself lodged a report regarding missing of his wife, however, on inquiry by the first informant, it has surfaced that the applicant had committed murder of his wife and he was having

extramarital affairs, which was objected to by the deceased. It is further submitted that after registration of the first information report, the applicant was arrested and the dead body of the deceased was recovered on his pointing out from an agricultural field of wheat and the cause of death of the deceased has been shown as suspected antemortem strangulation and the time of death of the deceased as mentioned in the postmortem report matches with the time of disappearance of the deceased. It is further submitted by them that the applicant has tried to delay the trial and he has been seeking adjournment when the witnesses are present and therefore, not a single witness has been examined so far.

5. Initially, the applicant himself lodged a report regarding missing of his wife and her dead body was recovered after three days of the said report and it is alleged that the applicant was having extramarital affairs, which was objected to by the deceased. It is further submitted that after registration of the first information report, the applicant was arrested and the dead body of the deceased was recovered on his pointing out from an agricultural field of wheat and the cause of death of the deceased has been shown as suspected antemortem strangulation and the time of death of the deceased as mentioned in the postmortem report matches with the time of disappearance of the deceased. It is further submitted that co-accused Bheesham Singh has been granted bail by the Co-ordinate Bench of this Court vide order dated 22.05.2025 passed in Criminal Misc. Bail Application No.17573 of 2025, however, the case of the applicant stands differentiated with the case of the co-accused Bheesham Singh as there is no motive against co-accused to commit the offence and the dead body has not been recovered from his pointing out. It is further submitted that the applicant is languishing in jail since 08.04.2025 and till date not a single witness has been examined and the trial is not likely to conclude in near future.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties, nature of accusation and without expressing any opinion on merits, this Court is not inclined to grant bail to the applicant.

7. The bail application is **dismissed.**

8. However, the learned trial Court is directed to take all the possible

steps to conclude the trial as expeditiously and preferably within a period of one year. If the trial is not concluded within one year, the applicant shall be at liberty to move before this Court for grant of bail. Provided that applicant cooperates in the trial.

(Jitendra Kumar Sinha,J.)

October 6, 2026
RKM

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