

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 16032 of 2025

Applicant :- Smt Poonam Sharma And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Shashi Kant Shukla, Shekhar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Sameer Jain, J.

1. Sri Ashish Goyal, learned Advocate filed his power on behalf of the informant, today in the Court, which is taken on record.

2. Heard Sri Shashi Kant Shukla, learned counsel for the applicants, Sri Ashish Goyal, learned counsel for the informant and Sri B.P. Singh, learned AGA for the State.

3. The instant bail application has been filed seeking release of the applicants on bail in Case Crime No. 122 of 2025, under Section 108 B.N.S., Police Station Sadar Bazar, District Agra during pendency of the trial.

4. Learned counsel for the applicants submitted, applicants are mother and sister of the wife of the deceased and on the basis of false allegation of abetment they have been roped in the present matter.

5. He further submitted there is no cogent evidence of abetment against the applicants and it appears, due to matrimonial dispute arose between husband and wife, deceased committed suicide and thereafter only being close family members of the wife of the deceased, applicants have been made accused in the present matter.

6. He further submitted that both the applicants are ladies and they are not having any criminal history and in the present matter they are in jail since 15.03.2025.

7. Per contra, learned AGA as well as learned counsel for the informant opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicants.

8. I have heard learned counsel for the parties and perused the record of the case.

9. However, as per allegation applicants, who are mother-in-law and sister-in-law of the deceased used to torture him, therefore, he committed suicide but only general allegations have been leveled against them and this Court finds merit in the argument advanced by learned counsel for the applicants that there is no cogent evidence of abetment against the applicants on record.

10. Further, applicants are ladies and they are not having any criminal history and in the present matter they are in jail since 15.03.2025.

11. Therefore, considering the facts and circumstances of the case discussed above, in my view, applicants are entitled to be released on bail.

12. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

13. Let the applicants - **Smt Poonam Sharma** and **Kumari Nishu** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicants shall appear before the trial court on the dates fixed, unless their personal presence is exempted.

(ii) The applicants shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.

(iii) The applicants shall not indulge in any criminal and anti-social activity.

14. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicants.

15. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

Order Date :- 19.5.2025

AK Pandey