



2026:AHC:8261

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 6551 of 2025

Shrishti Gupta

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ajay Kumar
Counsel for Opposite Party(s)	:	Dheeraj Singh (Bohra), G.A.

Court No. - 66

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.
2. Heard Sri Ajay Kumar, learned counsel for applicant, Sri Dheeraj Singh (Bohra), learned counsel for the informant as well as Sri R.P. Patel, learned State Law Officer for the State and perused the material placed on record.
3. The present bail application has been filed by the applicant in Case Crime No.40 of 2018, under Sections 302, 120-B I.P.C., Police Station- Surajpur, District Gautam Budh Nagar with the prayer to enlarge him on bail.
4. This is the fourth bail application on behalf of the applicant. The first, second and third bail applications were rejected by this Court vide orders dated 8.1.2019, 14.10.2019 and 21.4.2022 passed in Criminal Misc. Bail Application Nos.38450 of 2018, 30649 of 2019 and 17956 of 2020, respectively.
5. As a new ground, learned counsel for the applicant has stated the applicant is languishing in jail since 18.1.2018, as such, he is incarcerated in jail for almost eight years and there is no likelihood of conclusion of trial in near future. As such, the fundamental rights of the applicant enshrined under Article 21 of the Constitution of India stand violated. There is no criminal antecedent of the applicant. He is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.
6. Per contra, learned State Law Officer has vehemently opposed the bail application on the ground that the trial is at its conclusive end, as such, the applicant is not entitled for bail.
7. This Court had called for the status of trial from the concerned trial court. As per the said status report dated 3.1.2026, the evidence in Sessions Trial No.227/2018 has already been concluded and the trial is at the stage of arguments since 23.1.2025. The applicant Shristi Gupta had filed an application U/s 528 BNSS No.29339/2025

before this Court and the Court was pleased to stay the proceedings vide its order dated 15.10.2025 and the matter was fixed for 8.1.2026 for further orders.

8. The Supreme Court in case of ***X vs. State of Rajasthan & Anr.*** reported in ***2024 INSC 909***, has held that once the trial has commenced, it should be allowed to reach to its final conclusion, which may either result in conviction or acquittal of the accused. The bail should not be normally granted to the accused after the charge has been framed. It should also not be granted by looking into the discrepancies here or there in the deposition.

9. After hearing learned counsel for the parties and taking into consideration the fact that the trial is at its conclusive end, I do not find it a fit case for grant of bail to the applicant. The bail application is found devoid of merits and is, accordingly, ***rejected***.

10. However, it is directed that the aforesaid case pending before the trial court be decided expeditiously in view of the principle as has been laid down in the recent judgments of the Supreme Court in the cases of ***Vinod Kumar vs. State of Punjab; 2015 (3) SCC 220*** and ***Hussain and Another vs. Union of India; (2017) 5 SCC 702***, if there is no legal impediment.

11. 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.

(Krishan Pahal,J.)

January 12, 2026

Vikas Verma