



2026:AHC:54309

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2233 of 2026**

Harpal Singh @ Haripal Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mukul Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. The second supplementary affidavit, filed today in Court, is taken on record. By means of the second supplementary affidavit, the learned counsel for the applicant has filed the affidavit of the applicant himself whereas in the anticipatory bail application, the affidavit that was filed was through a power of attorney.

2. Learned counsel for the applicant; and learned A.G.A. for the State are present.

3. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 3 of 2026, under Section 105 of the B.N.S., 2023, Police Station – Iglas, District Aligarh, with a prayer to enlarge him on anticipatory bail, till the conclusion of the trial.

4. The learned counsel for the applicant states that the applicant has been falsely implicated in the present case. He seeks anticipatory bail on the following grounds :-

- i. The applicant is an old man aged about 63 years, suffering from various age-related ailments, including partial paralysis, and has not committed any offence.
- ii. The First Information Report (FIR) was initially registered under Section 106(1) of the B.N.S. for causing death by negligence; however, it was subsequently converted to an offence under Section 105 B.N.S. for culpable homicide not amounting to murder. This marked improvement in

the prosecution version clearly demolishes the prosecution case and the false implication of the applicant is apparent.

iii. The applicant has no criminal antecedents.

5. The learned A.G.A. has opposed the prayer for grant of anticipatory bail. He, however, has not disputed the fact that the applicant has no criminal antecedents.

6. I have considered the submissions made by the learned counsel for the parties.

7. The FIR contains allegations that the applicant had surrounded his fields with electric wires carrying 440 volts of current. The deceased had gone to her fields to switch off a submersible pump and suffered an electric shock, resulting in her death. The averments in the FIR further indicate that villagers had cautioned the applicant against running high-voltage current through such wires.

8. The site plan placed on record indicates that the deceased died due to electrocution in the applicant's field, where a wire was supposedly running parallel to the cable connecting the electric pole. Although the statements of eye-witnesses, Maya Devi and Gaurav, allege that the applicant had knowingly allowed 440 volts of current to flow through wires surrounding the fields, the site plan does not depict the fields as being fenced with such wires. Instead, it shows only a single wire running from the pole.

9. In view of the aforesaid facts and circumstances, it prima facie appears that the case does not fall within the ambit of culpable homicide not amounting to murder. Considering this, along with the advanced age and medical condition of the applicant, I deem it appropriate to enlarge the applicant on anticipatory bail.

10. The anticipatory bail application of the applicant is **allowed**.

11. In the event of the arrest of the applicant- **Harpal Singh @ Haripal Singh**, involved in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the

police station/Court concerned, with the following conditions:-

- i. the applicant shall make himself available for interrogation by a police officer as and when required;
- ii. that the applicant shall not, directly or indirectly make any 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 to any police officer;
- iii. that the applicant shall not leave India without the previous permission of the Court;
- iv. that the applicant shall not pressurize/intimidate the prosecution witness;

12. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

13. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

March 17, 2026

Kushal