



2026:AHC:127012

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2709 of 2026

Vasudev Murjani

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s) : Raza Hasnain, Sadrul Islam Jafri, Sr. Advocate

Counsel for Respondent(s) : G.A.

Court No. - 1

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Sri N.I. Jafri, learned Senior Advocate assisted by Sri Raza Hasnain, learned counsel for the appellant and Sri Birendra Pratap Singh, learned counsel for the State are present and have been heard and records perused.

3. Notice was issued to the opposite party no.2 vide order dated 16.03.2026. As per office report dated 27.05.2026 notice has been served personally on the opposite party no.2. The report is annexed as flag 'X'. This Court has perused the report dated 26.05.2026 of the CJM, Kanpur Nagar to the said effect. The report dated 24.05.2026 of Police Station Colonelganj, Commissionerate Kanpur Nagar regarding the proof of receipt of notice by the opposite party no.2 is also enclosed with the said report. The notice thus is sufficient. Despite service of notice on the opposite party no. 2, no one appears on his behalf even in the revised call. The Court proceeds to hear the matter.

4. This criminal appeal under Section 14A(2) of SC/ST (Prevention of Atrocities) Act, 1989 has been filed by the appellant **Vasudev Murjani**, with the prayer allow the appeal and set-aside the judgment and order dated 17.01.2026 passed by the learned Special Judge (SC/ST) Act, Kanpur Nagar arising out of Case Crime No. 301 of 2024, under Sections 85, 80(2) BNS and 3/4 D.P. Act and Section 3(2)(v) of SC/ST Act, Police Station Kakadev, District Kanpur Nagar and with a further prayer to release the appellant on bail in the aforesaid case.

5. The FIR of the matter was lodged on 06.12.2024 by Neeraj Sagar against the appellant, Sunita Moorjani/mother-in-law, Ramesh Moorjani/father-in-law, Devidas Moorjani/jeth and Harsha Moorjani/jethani alleging therein that his sister Soni Sagar was married with the appellant after giving gifts, dowry, gold and silver

ornaments and Rs. 5 lakh cash on 21.11.2023. The accused citing less dowry used to torture her and used caste related abuses. They used to assault her regularly. His sister told him and her parents about it. When they talked to her in-laws they stated of receiving less dowry and stated that his son was being married at another place where more dowry, house and land was being given. The accused used to torture her and assault her and stated that Rs. 15 lakh and car be brought as dowry and she should not come back unless the demand is fulfilled after which his sister came back to her maternal house. On interference of people, they took her back stating that Rs. 15 lakh be given in two days. On 15.12.2024 Vasudev her husband called Sri Sagar her father at about 04:30 am and told her that his sister has locked herself in a room and they may come after which they reached there and saw that the accused were taking out the body of his sister from the room. Vasudev stated that his sister committed suicide and she is being taken to the hospital where the doctors after examination have declared her dead. The accused had earlier murdered his sister who has received injuries on her body. She has not committed suicide but the accused have murdered her due to non fulfillment of their demand of dowry. Report be lodged and action be taken.

6. The postmortem examination of the deceased was conducted in which a ligature mark was found on her neck and an abrasion was found on the back of left elbow joint. The cause of death was opined as Combined effects of Asphyxia and venous congestion, consequent upon ante-mortem hanging and it's related complications.

7. Learned counsel for the appellant submits that although the appellant is the husband of the deceased but he has been falsely implicated in the present case. While placing the inquest it is submitted that there is a mention in column no. 2 that information about the death was given by Vasudev the husband who is the present appellant of the deceased. Further while placing the statement of Ashok Kumar Marwaha the Care Taker of Nirankari Bhawan, Govind Nagar, Kanpur it is submitted that the marriage of the deceased with the appellant was solemnized in Nirankari Bhawan, Govind Nagar where the people of the family and Mission were present and there was no discussion between the parties with regards to dowry as the Mission is against the custom of dowry. Further while placing the statement of Neeraj Sagar the first informant recorded before the trial court as PW-1 it is submitted that the deceased used to remain ill and Vasudev used to take her daily to a therapy centre as has been stated by him in his cross examination. It is submitted that the deceased was ill since long which was the reason of her committing suicide. She was having severe spinal problem for which treatment was being done, para 19, 20, 21 and 22 of the affidavit has been placed before the Court. It is further submitted that co-accused Smt. Sunita Moorjani the mother-in-law and Ramesh Kumar Moorjani the father-in-law of the deceased have been granted bail by different benches of this Court vide orders dated 25.08.2025 and 09.10.2025 passed in Criminal Appeal Nos.

4158 of 2025 (Smt. Sunita Moorjani Vs. State of U.P. and another) and 8141 of 2025 (Ramesh Kumar Moorjani Vs. State of U.P. and another), copy of the orders are annexed as annexure 12 respectively to the affidavit. It is submitted that the appellant has no criminal history as stated in para 31 of the affidavit and is in jail since 15.01.2025.

8. Per contra, learned counsel for the State opposed the prayer for bail in appeal and submitted that the appellant is the husband of the deceased. It is submitted that the deceased died in her matrimonial house within one year and one month of marriage. It is submitted that the illness of the deceased was not of such serious nature which would force her to take extreme step to commit suicide. It is submitted that there are allegations of demand of dowry against the appellant. It is submitted that the death is unnatural. It is submitted that the prayer for bail be rejected.

9. After having heard learned counsel for the parties and perusing the records, it is evident that the appellant is the husband of the deceased. The deceased died in her matrimonial house within one year and one month of marriage. The illness of the deceased was not of such serious nature which would force her to commit suicide and take such extreme step. The said co-accused who have been granted bail are the mother-in-law and father-in-law and the appellant is the husband. There is an allegation of demand of dowry and the death is unnatural. I do not find it to be a fit case for bail.

10. Considering the totality of the case in particular, nature of evidence available on record, I am not inclined to release the appellant-applicant on bail.

11. The bail application is accordingly **rejected**.

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

(Samit Gopal,J.)

June 12, 2026
M. ARIF