



2026:AHC:125090

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 19196 of 2026

Smt. Soniya Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Girish Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 5

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri Girish Tiwari, learned counsel for the applicant, Sri G.P. Singh, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 123 of 2023 under Sections 306, 504, 506, 323 IPC, Police Station Majhola, District Moradabad during the pendency of the trial.

3. Learned counsel for the applicant has submitted that co-accused Kailasho Devi, Sanjay and Vinod have been granted bail by Co-ordinate Bench of this Court and role of the applicant is not distinguishable from the roles of the aforesaid co-accused persons. It is further submitted that as per the FIR, son of the first informant is said to have committed suicide by hanging himself on 19.5.2022 whereas FIR has been lodged after delay of nine months. It is further submitted that during investigation, one suicide note is said to have been recovered in which it has been stated that the deceased committed suicide because the applicant who is his wife was having illicit relationship with co-accused Sanjay. The applicant has been languishing in jail since 12.4.2026 and in case, she is granted bail, she will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. has vehemently opposed the prayer for bail.

5. Co-accused Sanjay has been granted bail by this Court and as per the FIR, deceased Monu Kumar is said to have committed suicide and one suicide

note is said to have been recovered in which, he has stated that his wife i.e. the applicant was having illicit relationship with co-accused Sanjay. As per the postmortem report, cause of death of the deceased has been found to be asphyxia due to antimortem hanging.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of ***Kapil Wadhawan vs Central Bureau of Investigation*** reported in 2025 SCC OnLine SC 3038 as well as guideline of this Court in the case of ***Maya Tiwari Vs. State of U.P.*** reported in 2024 SCC Online All 6765 regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Accordingly, the present application is **ALLOWED**.

8. Let the applicant **Smt. Soniya Sharma** involved in the aforementioned crime be released on bail, on her 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 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 or tamper with the evidence.

(ii) The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

(iii) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

(iv) The applicant shall attend in accordance with the conditions of the bond executed by him.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **concerned Jail Superintendent** via e-mail or e-prison portal within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in (2024) 10 SCC 685.

(Jitendra Kumar Sinha,J.)

June 3, 2026
Madhurima