IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(arising out of SLP(Crl.) 5142/2026)

SHEETAL KAPOOR ..... APPELLANT(S)

VERSUS

PRAVEEN KUMAR & ANR. ..... RESPONDENT(S)

O R D E R

1. **Leave granted.**

2. **The appellant, Sheetal Kapoor, is the widow of the victim, Ankush Sharma, who met with an untimely death on 10.08.2024, leading to the registration of First Information Report (FIR) No. 0345/2024 dated 22.08.2024 on the file of Police Station – Beta 2, District – Greater Noida (Commissionerate Gautam Buddha Nagar), Uttar Pradesh, for offences punishable under Sections 123, 103(1) and 238 of the Bharatiya Nyaya Sanhita, 2023.**

3. **Respondent No. 1 herein, Praveen Kumar, was arrested in connection with the above FIR on 23.08.2024. Upon completion of the investigation, a chargesheet was laid against him on 16.11.2024. His application for grant of bail was dismissed by the jurisdictional Sessions Court on 13.12.2024. The High Court of Judicature at Allahabad[1] rejected his application in Criminal Miscellaneous Bail Application No. 5973/2025 for grant of bail, on 08.09.2025. However, his second application for grant of**

Signature Not Verified
Digitally signed by Deepak Gugnani
Date: 2026.01.07 12:38:09 IST
Reason:

1 "High Court", for short

bail in Criminal Miscellaneous Bail Application No. 38480/2025 succeeded, as the High Court deemed it appropriate to allow the same, *vide* the impugned order dated 11.11.2025, and granted him bail subject to conditions.

4. **Aggrieved by this turn of events, the appellant, Sheetal Kapoor, is before this Court, by way of the present appeal.**

5. **Perusal of the impugned order dated 11.11.2025 reflects that the High Court was influenced by the fact that only 3 out of the 30 witnesses listed for examination by the prosecution had been examined and there was no possibility of early conclusion of the trial. Significantly, the High Court noted as follows: -**

> **"Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but without commenting on merit of case, a case for bail is made out."**

6. **This Court is at a loss to understand the reasoning of the High Court, as spelt out in the aforestated paragraph. Having noted that there was a reasonable apprehension of the accused tampering with the witnesses, given the fact that he is a member of the Delhi Police, the High Court seems to have just brushed it aside along with all other factors that weighed against him, which it mentioned in detail.**

7. **Given the nature of the case and the seriousness of the allegations levelled against respondent No. 1, Praveen Kumar, a**

member of the uniformed service, this was not a deserving and fit case for the High Court to have shown any indulgence to him merely because there was no possibility of the trial concluding soon.

8. **We, therefore, hold that the High Court erred in exercising its discretion in favour of respondent No. 1, Praveen Kumar, at that stage and in granting him bail in relation to the FIR in question.**

9. **The appeal is, accordingly, allowed, setting aside the order dated 11.11.2025 passed by the High Court in Criminal Miscellaneous Bail Application No. 38480/2025.**

10. **Respondent No. 1 shall surrender within two weeks. He would, however, be at liberty to renew his plea upon a change in circumstances and in accordance with law at an appropriate stage.**

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

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
NOVEMBER 06, 2026.

ITEM NO.2 COURT NO.8 SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No. 5142/2026

[Arising out of impugned final judgment and order dated 11-11-2025 in CRMBA No. 38480/2025 passed by the High Court of Judicature at Allahabad]

SHEETAL KAPOOR Petitioner(s)

VERSUS

PRAVEEN KUMAR & ANR. Respondent(s)

(IA No. 65227/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 342313/2026 - EXEMPTION FROM FILING O.T., IA No. 65228/2026 - EXEMPTION FROM FILING O.T. and IA No. 338706/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-11-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) :
Ms. Preeti Singh- 2428, AOR
Mr. Sunklan Porwal, Adv.
For Respondent(s) :
Mr. Suresh Sisodiya, Adv.
Mr. Sushant Dogra, Adv.
Mr. Rajan Mishra, Adv.
Mr. Sanjeev Vashishth, Adv.
Ms. Shaktika Kulshrestha, Adv.
Mr. Koushal Kumar Daharia, Adv.
Ms. Nandani Gupta, Adv.
Mr. Krishna Kumar, Adv.
Dr. Mrs. Vipin Gupta- 1302, AOR

Dr. Vijendra Singh- 3352, AOR

Mr. Harish Pandey, Adv.
Ms. Purnima Singh, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order, setting

aside the order dated 11.11.2025 passed by the High Court in Criminal Miscellaneous Bail Application No. 38480/2025.

Respondent No. 1 shall surrender within two weeks. He would, however, be at liberty to renew his plea upon a change in circumstances and in accordance with law at an appropriate stage.

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

(DEEPAK GUGLANI) **(PREETI SAXENA)**
DEPUTY REGISTRAR **COURT MASTER (NSH)**

(signed order is placed on the file)