

# Champawati Alias Champa Devi vs State Of U.P. on 28 March, 2025

**Author: Deepak Verma**

**Bench: Deepak Verma**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:44133

Court No. - 67

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 3050 of 2025

Applicant :- Champawati Alias Champa Devi

Opposite Party :- State of U.P.

Counsel for Applicant :- Shyam Sunder Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. List revised.
2. Advocates are on strike.
3. Learned AGA is present.
4. Perused the record and heard learned AGA.

5. The instant bail application has been filed on behalf of the applicant Champawati @ Champa Devi with a prayer to release him on bail in Case Crime No.333 of 2023, under Sections 419, 420, 467, 468 & 471, 120B, 504 & 506 I.P.C., P.S. Kotwali, District Fatehpur during pendency of the trial.

6. It is stated in the affidavit that the applicant is innocent and has been falsely implicated in the present case. From the record, it is apparent that the applicant is mother-in-law of the informant. In Para-9 of the affidavit, it is apparent that Narendra Bahadur Singh (Lekhpal) in his statement has stated that the applicant and his son Shiv Singh had mutated their name being mother and brother of the deceased. Thereafter land has been transferred to the informant and his children. At present, land is entered in the name of legal heirs of Navratan Singh. It is also stated in the affidavit that the land which was sold by the applicant and brother-in-law to another person has got cancelled and informant name has entered. From perusal of FIR, it is a civil nature dispute and sale deed has been cancelled. Applicant is an old lady and aged about 72 years old, suffering from old age disease. Present FIR has lodged after about six years through application under section 156(3) Cr.P.C. There is no prospect of trial of the present case being concluded in near future due to heavy dockets. Applicant has no criminal history. The applicant is languishing in jail since 06.01.2025 and in case she is enlarged on bail she will not misuse the liberty of bail.

7. Learned A.G.A. has opposed the bail prayer of the applicant.

8. 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 accused and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

9. Let the applicant, Champawati @ Champa Devi, who is involved in the aforesaid case 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 subject to following conditions. Further, before issuing the release order, the sureties be verified.

i. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.

ii. The applicant shall cooperate in the trial 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.

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

Order Date :- 28.3.2025 SKD