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WP-19119-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE AVANINDRA KUMAR SINGH

ON THE 22nd OF MAY, 2026WRIT PETITION No. 19119 of 2026*NAVNI DHI SHARMA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Anurag Shrivastava and Shri Piyush Kumar Tiwari, learned counsel for the petitioner.

Shri Tushar Mehta, learned Solicitor General of India through Video Conferencing, Shri Prashant Singh, learned Advocate General along with Shri Harpreet Singh Ruprah, learned Additional Advocate General, Shri Amit Pandey, learned Government Advocate and Shri L.A.S. Baghel, learned Government Advocate for the respondents/State

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ORDER

Shri Navnidhi Sharma, father of the deceased, is present in person before this Court.

This writ petition has been filed under Article 226 of the Constitution of India with a specific prayer that in Crime No.133/2026 registered at Police Station Katara Hills, Bhopal, under Sections 80(2), 85 and 3(5) of the BNS, 2023 and Section 3 and 4 of the Dowry Prohibition Act to immediately direct the respondents No.1 to 4 to secure and preserve the mortal remains of the deceased Smt. Tvisha (Twisha) Sharma, which is lying in the mortuary at AIIMS, Bhopal and restrain them from releasing the body for cremation/burial or otherwise disposing off it and also direct the respondents for conducting of a second post-mortem examination of the body of the



deceased by a duly constituted Board by Director of the All India Institute of Medical Sciences (AIIMS), New Delhi or AIIMS, Jammu by a team headed by Dr. Dinesh Rao, who is working as a professor and HOD, Forensic Medicine, AIIMS, Jammu either at AIMMS, Delhi or at AIMMS, Jammu or at AIMMS, Bhopal and in the meanwhile to preserve the body at a temperature of -80 degree Celsius.

In a matter at Serial No.24 in the cause list today i.e. Samarth Singh Vs. The State of M.P. (M.Cr.C. 24352/2026), learned Senior Counsel Shri Mrigendra Singh also appearing through Video Conferencing and Shri Jaideep Kourav or Sourabh Sunder, learned counsel are present in person before this Court.

At the outset, learned senior counsel for applicant-Samarth Singh submits that he has no objection if body of the deceased is subjected to second post-mortem, however, his only worry that names of the doctors of M.P. State at AIIMS, Bhopal who are very good will be tarnished.

The learned Solicitor General for the respondents, at the outset, submits that conducting a second post-mortem does not amount to raising a finger at anyone; rather, it is intended to bolster the confidence of every common person in the entire process, right from the investigation onwards. He further submits that he neither doubts the correctness of the report or the competence of the concerned doctor, but, in the best interest of everyone second post-mortem may be directed.

When this Court sought to ascertain which would be the better option, namely, either to take the body of Tvisha Sharma to Delhi for post-mortem



examination or to call the expert team constituted by the Director, AIIMS, New Delhi, who could arrive by special flight arranged by M.P. State and conduct the post-mortem examination at Bhopal. In this regard, learned Advocate General submits that they will arrange all the logistic and whatever the committee is constituted, at the earlier, they can come to Bhopal and conduct the post-mortem.

After considering all the grounds, this Court is also of the view that, by directing a second post-mortem, neither this Court nor the petitioner has directly or indirectly imputed any wrongful motive or cast any doubt upon the earlier post-mortem report or on anyone but death of deceased has taken place within six months of marriage, therefore, second post-mortem should be conducted to clear all doubts from any quarter. Accordingly, as agreed during the hearing, this Court requests the Director, AIIMS, New Delhi, to constitute a team of experts at the earliest who may arrive at the earliest by special flight arranged by the State Government to conduct the post-mortem examination. As soon as, the committee constituted by a Director, let him send a official email to Shri Shiv Shekhar Shukla, A.C.S, G.A.D, Bhopal Mobile No. 9630012000 and Office No. 0755-2708180 i.e. acsgad@mp.gov.in, psgad@mp.gov.in, contact number of the Office of the Advocate General i.e. 0761-2621782 and email I.D is advgenjab@mp.gov.in, so that logistic and other arrangements can be made.

With the aforesaid direction to conduct the post-mortem at Bhopal by a team of experts, formed by Director, AIIMS and submit a report in a sealed envelop to the investing agency, this petition is allowed and disposed of.



Needless to say that with full dignity to the body and as per procedure, a videography shall also be done and record of that videography report shall be a part of the post-mortem report.

C.C. today.

(AVANINDRA KUMAR SINGH)
V. JUDGE

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