



2025:UHC:10059

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

13TH NOVEMBER, 2025

FIRST BAIL APPLICATION NO. 1738 of 2025

Om Vipul Joshi

.....Applicant

Versus

State of Uttarakhand

.....Respondent

Counsel for the Applicant : Mr. Lalit Sharma, Advocate

Counsel for the Respondent : Mr. Tumul Nainwal, Assistant
Government Advocate.

Hon'ble Alok Kumar Verma, J.

The applicant – Om Vipul Joshi is in judicial custody for the offence punishable under Section 109 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 in Case Crime No. 201 of 2025, registered at Police Station Haldwani, District Nainital.

2. According to the respondent, on 23.06.2025 at about 07.30 p.m., Harish Singh Mehra, the younger brother of the informant, along with his companions Neeraj Bhagat, Bhupendra Singh Bora and Ganesh Singh Darmwal were going in a car from his house. Co-accused Rohit Mandola alias Raja and other persons came in front of the car and pulled Harish Singh Mehra out of the car and beat him. When Bhupendra Singh and Ganesh Singh Darmwal tried to save Harish Singh Mehra, the said persons assaulted them. Rohit Mandola fired to kill Harish Singh Mehra. Bullet hit Bhupendra Singh Bora. Rohit Mandola alias Raja fired the second shot at



2025:UHC:10059

Bhupendra Singh. The companions of Rohit Mandola alias Raja were also armed. They also opened fire. Harish Singh Mehra, Bhupendra Singh and Ganesh Singh Darmwal were admitted to the hospital. The First Information Report was registered on 24.06.2025.

3. Heard Mr. Lalit Sharma, learned counsel for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

4. Mr. Lalit Sharma, Advocate, contended that the applicant was not present at the spot. He has been falsely implicated in the present matter. He is not named in the First Information Report. His name has come to light during the investigation. He did not know the injured persons and accused persons. He was a student of Bachelor of Arts at the time of the alleged incident. He has no criminal antecedents. He is a permanent resident of District Bageshwar, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence. Piyush Rawat, the co-accused of similar role, has already been granted bail by this Court, and, the applicant is in custody since 05.07.2025.

5. Mr. Tumul Nainwal, Assistant Government Advocate for the respondent has opposed the bail application. However, he has conceded that the applicant has no criminal antecedents.



2025:UHC:10059

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, no reason is found to keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.

9. Let the applicant – Om Vipul Joshi be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

ALOK KUMAR VERMA, J.

Dt: 13.11.2025
JKJ/pant