



2026:UHC:2171

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

27TH MARCH, 2026

FIRST BAIL APPLICATION NO. 444 of 2026

Kaleem ...Applicant

Versus

State of Uttarakhand ...Respondent

Counsel for the Applicant : Mr. Vikas Anand, Advocate.

Counsel for the Respondent: Mr. Pratiroop Pandey,
Assistant Government
Advocate.

Hon'ble Alok Kumar Verma,J.

This Application has been filed for regular bail in Case Crime No. 138 of 2018, registered at police station Jaspur, District Udham Singh Nagar.

2. The applicant-Kaleem is in judicial custody for the offence punishable under Sections 302, 307 read with Section 34 and Section 120B of the Indian Penal Code, 1860.

3. The case of the respondent is that on 25.05.2018, the informant Smt. Bhajan Kaur was present in her house with her husband Daya Singh, daughter-in-law Charanjeet Kaur, brother of her daughter-in-law Devendra Singh alias Labba, his wife Babbi and his son Happy. At around 11:00 a.m., two



2026:UHC:2171

persons entered her house and pointed a country made pistol at her chest. They fired at her husband Daya Singh, aged about 63 years, due to which he died. Devendra Singh alias Labba was also shot, due to which, he received injuries. After inquest proceedings, post-mortem examination and last rites of the deceased, the First Information Report was lodged on 25.05.2018 at 20:30 hrs. The First Information Report was registered against the two unknown persons.

4. The deceased had two sons. One is Jagtar Singh alias Jagga and the name of the other son is Meher Singh. Jagtar Singh alias Jagga's brother-in-law Devendra Singh alias Labba had enmity with one Gurmukh Singh alias Gorkha. Devendra Singh alias Labba went to jail because of Gurmukh Singh. Devendra Singh alias Labba (co-accused) along with his friend Aleem (co-accused) settled the matter with the co-accused Narender Sharma and Shankar Sharma alias Ravi (co-accused) for rupees ten lakhs to take revenge from Gurmukh Singh. One lakh was given in advance. After the incident, the co-accused Narender Sharma and the co-accused Shankar Sharma alias Ravi fled away on a motorcycle, bearing Registration No.UK06-L9443.



5. One empty cartridge was recovered from the possession of the co-accused Narender Sharma at the time of his arrest. A country made pistol 315 bore and a live cartridge were recovered from the possession of the co-accused Shankar Sharma alias Ravi. One bullet 315 bore and one empty cartridge 315 bore were recovered from the spot. One bullet 315 bore was recovered from the dead body of the deceased at the time of post-mortem examination. One country made pistol and a pistol 315 bore were recovered at the instance of the co-accused Narender Sharma and the co-accused Shankar Sharma alias Ravi. The said motorcycle was recovered from the custody of the co-accused Narender Sharma and the co-accused Shankar Sharma. The bullet recovered from the dead body of the deceased, the bullet and empty cartridge recovered from the spot and the country made pistol, live cartridge and empty cartridge, recovered from the co-accused persons, were sent to the Forensic Science Laboratory.

6. The allegation against the present applicant is that he was in jail for another case at the time of the incident and he provided country made pistol through his brother Aleem (co-accused) from the jail.



7. Heard Mr. Vikas Anand, learned counsel for the applicant and Mr. Pratiroop Pandey, learned Assistant Government Advocate General for the respondent.

8. Mr. Vikas Anand, Advocate, has contended that the applicant has not been named in the First Information Report. His name has surfaced in the confessional statement of the co-accused Devendra Singh alias Labba and co-accused Narender Sharma. The Investigating Officer has not recorded the statement of any jail officials. Co-accused Narender Sharma, co-accused Shankar Sharma alias Ravi, co-accused Devendra Singh alias Labba and the co-accused Aleem have already been granted regular bail by this Court. Applicant is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, he is in custody since 29.05.2018.

9. Mr. Pratiroop Pandey, Assistant Government Advocate has opposed the bail application orally. However, he fairly conceded that the name of the present applicant has come to light in the statements of the co-accused.

10. Having considered the submissions of learned counsel for both the parties and in the facts and



2026:UHC:2171

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 merit of the case, this Court is of the view that the applicant deserves bail at this stage.

11. The Bail Application is allowed.

12. Let the applicant-Kaleem 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 with the following conditions:-

- i) Applicant shall attend the trial court regularly and he will not seek any unnecessary adjournment; and,
- ii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case.

13. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution agency will be free to move the court for cancellation of bail granted to the applicant.

ALOK KUMAR VERMA, J.

Dt:27.03.2026
JKJ/Pant