



CRM-M-68988-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.123

CRM-M-68988-2025
Date of Decision: 05.03.2026

OMKAR DAGAR

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Sarfaraj Anjum Mor, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana and
Mr. Vaibhav Sharma, AAG, Haryana.

Mr. Pardeep Chhokar, Advocate
for the complainant.
(Appeared through video conferencing).

MANDEEP PANNU, J. (Oral)

1. This is the first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No. 396 dated 28.07.2025, registered under Sections 109(1) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25, 25(1B)(C), 54 and 59 of the Arms Act at Police Station Sector-58, Faridabad, Haryana.

2. As per the prosecution case, on 27.07.2025 the police received information that a person had been shot in Rajiv Colony, Faridabad. On receiving the said information, S.I. Talim Hussain along with the crime scene team reached the spot and four empty cartridges were recovered from the place of occurrence. Thereafter, the police reached Metro Hospital, Faridabad and obtained the MLR of the injured Sandeep, who had sustained



a firearm injury in the form of an entry wound around the 10th–11th rib on the right side. When the police attempted to record the statement of the injured, the doctor declared him unfit to make a statement. Later, the police also went to Apollo Hospital, Faridabad for the same purpose but the injured was again declared unfit to give a statement.

3. In the meantime, Pawan, uncle of the injured Sandeep, submitted a written complaint stating that about 25–30 days prior to the occurrence, some dispute had taken place between his nephew Sandeep and Monu and that Monu along with his associates, including Omkar Dagar and others, had hatched a conspiracy to kill Sandeep. It was alleged that on 27.07.2025 at about 11:30 PM, Monu and Omkar Dagar came on a black coloured Jupiter scooty. Omkar Dagar was driving the scooty while Monu was sitting as a pillion rider. At that time Sandeep and his relative Pankaj were standing outside their house. Monu called Sandeep towards him and when Sandeep approached, Monu got down from the scooty and fired three gunshots at him, one of which struck Sandeep on the right side of his rib. When Pankaj tried to apprehend them, both the assailants allegedly fired towards him as well and fled away from the spot on their scooty.

4. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and no specific role has been attributed to him in the alleged occurrence. It is submitted that the petitioner had no knowledge about the alleged dispute between the injured and the co-accused Monu and he was merely accompanying the co-accused on the scooty without any knowledge of the alleged intention to cause harm to the injured. It is further argued that as per the investigation, the firearm



was recovered from co-accused Mayank Sharma @ Monu Pandit and the said co-accused had fired the gunshot which caused injury to the injured Sandeep, therefore the offence under Section 109(1) of BNS is not made out against the present petitioner. Learned counsel has further submitted that the petitioner did not fire any shot and the CCTV footage also does not show the petitioner firing any weapon. It is also contended that the investigation of the case has been completed and the challan has already been presented before the trial Court. The petitioner is stated to be in custody since 03.08.2025 and the trial is likely to take considerable time. It is further submitted that nothing is to be recovered from the petitioner and he is the sole earning member of his family and undertakes not to tamper with the prosecution evidence or influence the witnesses. On these grounds, prayer has been made for grant of regular bail.

5. Per contra, learned State counsel has opposed the bail application and submitted that serious allegations have been levelled against the petitioner. It is contended that the petitioner, in criminal conspiracy with the main accused Monu, had gone to the house of the injured and both of them were present on the scooty at the time of occurrence. It is further submitted that co-accused Monu fired three gunshots at Sandeep, who is the nephew of the complainant, out of which one of the shots hit the wrist/rib of the injured Sandeep causing firearm injury. Learned State counsel submits that the petitioner actively participated in the criminal conspiracy along with the main accused and facilitated the commission of the offence. It is further argued that the allegations against the petitioner are grave in nature and the material witnesses of the prosecution are yet to be examined. The petitioner



is in custody for the last about seven months only and if released on bail at this stage, he may influence the prosecution witnesses. Therefore, the petitioner does not deserve the concession of regular bail.

6. I have heard learned counsel for the parties and have gone through the record carefully. The allegations against the petitioner are serious in nature. As per the prosecution case, the petitioner along with the main accused Monu had gone to the house of the injured Sandeep on a scooty and in furtherance of their criminal conspiracy, co-accused Monu fired three gunshots at the injured, one of which struck Sandeep causing firearm injury. The role attributed to the petitioner cannot be said to be insignificant at this stage as he is alleged to have accompanied the main accused to the place of occurrence and facilitated the commission of the offence. The manner in which the occurrence is alleged to have taken place reflects a premeditated act involving use of firearm which resulted in serious injury to the victim.

7. It is also pertinent to note that the trial is at an initial stage and the material witnesses of the prosecution are yet to be examined. In such circumstances, if the petitioner is released on bail, there is every likelihood that he may influence the prosecution witnesses or hamper the course of trial. The gravity of the offence, the manner in which the occurrence has been alleged to have been committed and the specific role attributed to the petitioner do not persuade this Court to extend the concession of regular bail to the petitioner at this stage. The period of custody undergone by the petitioner is also not so long so as to entitle him to the concession of bail on that ground alone.



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8. Keeping in view the seriousness of the allegations, the role attributed to the petitioner in the alleged criminal conspiracy with the main accused and the fact that the material witnesses are yet to be examined, this Court does not find any ground to grant regular bail to the petitioner. Accordingly, the present petition stands dismissed.

9. However, anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

10. All pending applications, if any, also stand disposed of.

05.03.2026
Anu

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No