HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1138 of 2026

03rd November, 2026

Gurpreet Singh Alias Goppi .....Applicant

Versus

State Of Uttarakhand .....Respondent

First Bail Application No. 789 of 2026

Mandeep Singh .....Applicant

Versus

State Of Uttarakhand .....Respondent

First Bail Application No. 1221 of 2026

Ranjeet Singh .....Applicant

Versus

State Of Uttarakhand .....Respondent

Presence:-

Mr. Lalit Sharma and Ms. Suraiya Naaz, learned counsel in BA1 No.789 of 2026 and BA1 N.1221 of 2026 and MR. Maneesh Bisht, learned counsel in BA1 No.1138 of 2026 for the applicants.

Mr. Rakesh Joshi, learned A.G.A. and Mr. Manoj Bhatt, learned Brief Holder for the State.

Mr. Saurabh Kumar Pandey, learned counsel for the complainant.

Hon'ble Mr. Alok Mahra, J. (Oral)

The applicants, namely, Gurpreet Singh @ Goppi, Mandeep Singh and Ranjeet Singh, who are in judicial custody in connection with Case Crime/F.I.R. No.17 of 2026, registered at Police Station Kaladhungi, District Nainital, for the offences punishable under Sections 109(1), 126(1), 351(3) and 352 of the B.N.S., have approached this Court seeking their enlargement on bail.

2. Since all the three bail applications arise out of the same F.I.R. and relate to the same incident, they are being heard and decided together by this common order.

3. Heard learned counsel for the applicants, learned State counsel and learned counsel for the complainant and perused the material available on record.

4. Learned counsel for the applicants would submit that the F.I.R. has been lodged by the complainant alleging that on 14.02.2026, while her husband was travelling in a Scorpio car along with his friends, namely, Bablu Kumar and Harbhan Singh, the applicants intercepted their vehicle and when the complainant's husband got out of the vehicle, the applicants started abusing them and, when they objected to the same, co-accused Ranjeet Singh opened fire, which hit the left leg of the complainant's husband and the hip region of Bablu Kumar. It is further alleged that applicant Mandeep Singh @ Magga was carrying a sword and the other accused persons assaulted the injured with their hands, as a result of which the complainant's husband and Bablu Kumar sustained injuries. Thereafter, they were taken to the hospital for treatment and were subsequently referred to a higher medical centre.

5. Learned counsel for the applicants would submit that the applicants are innocent and have falsely been implicated in the present case on account of previous enmity. He would further submit that although the allegations made in the F.I.R. disclose cognizable offences, no prompt report was lodged by the police on the basis of the alleged incident, which casts doubt upon the prosecution version; that, there is an unexplained delay of

two days in lodging the F.I.R., which further creates doubt regarding the genuineness of the prosecution case.

6. It is further contended that even if the allegations levelled in the F.I.R. are taken at their face value, no offence punishable under Section 109(1) of the B.N.S. is made out against the applicants and in this regard, learned counsel has referred to the statement of Harbhan Singh, who was accompanying the complainant's husband at the time of the incident, and submits that the said witness has stated that it was he who had called co-accused Ranjeet Singh for a meeting, thus, there was no prior meeting of minds or common intention amongst the applicants to commit the alleged offence, nor was there any intention to cause the death of the injured persons.

7. Learned counsel would further submit that, as per the recovery memo, only four empty cartridges were allegedly recovered from the accused persons; however, the forwarding letter sent to the Forensic Science Laboratory (F.S.L.) indicates that thirteen additional cartridges were also forwarded for examination, though there is no corresponding explanation regarding their recovery. He would further submit that the allegation against applicant Mandeep Singh is that he was carrying a sword and had assaulted the injured persons. However, the injury reports do not disclose any incised, lacerated or other injury suggesting the use of a sword, thus, the medical evidence does not corroborate the allegation regarding the use of a sword by the said applicant.

8. Mr. Lalit Sharma, learned counsel for the applicants, would further submit that material improvements have subsequently been made by the

prosecution witnesses in their statements recorded during the course of investigation; that, in the subsequent statements, an allegation has been introduced that the applicant had fired a pistol and assaulted the injured persons with a sword, which was not the specific version disclosed in the F.I.R.; that, these subsequent improvements appear to have been made to attribute a more serious role to the applicant, particularly when the alleged use of a sword is not supported by the medical evidence.

9. He would further submit that, as per the F.I.R. and the statements of the witnesses, the gunshot injury sustained by the complainant's husband has not been specifically attributed to applicant Mandeep Singh, whereas the allegation regarding firing at Bablu Kumar is attributed to the co-accused. No specific motive or reason has been assigned to applicant Mandeep Singh for committing the alleged offence.

10. Learned counsel would further submit that the weapon allegedly recovered from the applicant has not been connected with the commission of the alleged crime, as there is no forensic or other material establishing any nexus between the recovered weapon and the empty cartridges allegedly recovered from the place of occurrence. He would also submit that, at the time of arrest, the applicants were not furnished with any written communication setting out the grounds of their arrest.

11. Learned counsel appearing for applicant Ranjeet Singh would submit that the applicant has ancestral agricultural land situated in Punjab, which the complainant's husband was allegedly preventing him from

cultivating; that, the complainant's husband is involved in grabbing the properties of innocent persons and forcibly taking possession of their land; that, when the applicant objected to such conduct, the complainant's husband developed animosity towards him; that, the injuries allegedly sustained by the injured persons are not on any vital part of their bodies and, therefore, the essential ingredients of the offence punishable under Section 109(1) of the B.N.S. are not attracted; that, the applicant Ranjeet Singh and the complainant's husband are residents of the same vicinity and that, on the date of the alleged incident, a verbal altercation took place between the parties on account of their previous dispute, whereafter the present F.I.R. came to be lodged.

12. Learned counsel would further submit that the applicant neither committed any act with the intention or knowledge contemplated under Section 109(1) of the B.N.S. nor was any such intention or knowledge established from the material collected during investigation; that, the prosecution has failed to establish any motive or intention on the part of the applicants to commit the alleged offence and that their implication are based merely upon the statements of the informant and other interested witnesses. He would also submit that no written grounds of arrest were furnished to the applicants at the time of his arrest and that no independent witness has been cited to support the prosecution version.

13. Learned counsel for the applicants would also submit that the applicants are languishing in judicial custody since 20.02.2026; that, there is no likelihood of their absconding or tampering with the prosecution

evidence, particularly as they are permanent residents of District Nainital. On these grounds, learned counsel for the applicants prays that they may be enlarged on bail.

14. Per contra, learned State counsel, as well as learned counsel for the complainant, would vehemently oppose the bail applications. Learned counsel for the complainant would submit that the applicants are themselves responsible for delaying the proceedings before the learned court below, as cognizance was taken much earlier, but charges have not yet been framed. He would further refer to the statement of the doctor who medically examined the injured persons and submit that the injuries sustained by them were grievous in nature and life-threatening; that, there was previous enmity between the parties on account of a land dispute.

15. Learned State counsel would submit that the complainant's husband sustained a gunshot injury on his left leg and remained admitted in the hospital for nine days, during which he underwent surgery; that, even at present, he is experiencing difficulty in walking; that, the complainant's husband was severely assaulted by applicant Mandeep Singh with a sword and that the assault continued even after the injured had fallen to the ground upon sustaining the gunshot injury; that, the attack was so severe that the complainant's husband sustained a fracture of the right zygomatic arch, with the injury being situated close to vital organs, including the eyes, ears, nose and brain, and was dangerous to life, with the possibility of permanent disability.

16. Learned State counsel would further submit that the second injured, namely, Bablu Kumar, sustained

a gunshot injury on his back, with the exit wound situated on the front side of his abdomen; that, the bullet penetrated through his urinary bladder and exited through the abdomen, thereby causing a life-threatening injury and his treatment continued for a considerable period before the injury to his bladder could heal completely; that, the relatives and associates of the applicants have been exerting pressure upon the injured witnesses to enter into a compromise and have also attempted to pressurize the police to register a false cross-case against the injured persons. In view of the gravity of the allegations, the nature and seriousness of the injuries sustained by the victims and the possibility of the applicants influencing the prosecution witnesses, learned State counsel submits that the applicants do not deserve the concession of bail.

17. Having considered the rival submissions and perused the material available on record, this Court finds that the allegations against the applicants are serious in nature. The prosecution case is that the applicants intercepted the vehicle carrying the injured persons and assaulted them, during which gunshots were allegedly fired, causing serious injuries to both. The medical evidence indicates that one injured person underwent surgery and remained hospitalised for nine days, while the other sustained a gunshot injury penetrating his urinary bladder. The gravity and nature of the injuries cannot be overlooked at this stage.

18. This Court has also considered the submissions regarding the delay in lodging the F.I.R., previous land dispute, alleged improvements in witness

statements, discrepancies in the cartridges sent to the F.S.L. and absence of medical evidence regarding the alleged use of a sword. However, these are matters of appreciation of evidence during trial. Similarly, the question of intention and the specific role attributed to each applicant would require examination in the light of the evidence. This Court, at the stage of bail, is not required to undertake a detailed evaluation of the evidence or express any opinion on the merits of the case.

19. Considering the nature and gravity of the accusations, the manner in which the incident is alleged to have taken place, the seriousness of the injuries sustained by the injured persons and the apprehension regarding possible interference with the prosecution witnesses, this Court is not inclined to enlarge the applicants on bail.

20. Accordingly, all the three bail applications are hereby rejected.

21. It is clarified that the observations made hereinabove are confined to the consideration of the present bail applications and shall not be construed as an expression of opinion on the merits of the case. The learned trial court shall proceed with the trial independently, uninfluenced by any of the observations made in this order.

(ALOK MAHRA,J.)
03.11.2026

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Digitally signed by MAMTA RANI
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