

IA No. 01/2026 in SC No. 387/2026
State vs. Omkar & Ors.
(*applicant/accused Shubham Yadav*)
FIR No. 101/2026
PS Palam Village
U/s 103(1)/3(5) BNS

24.07.2026

Present: Sh. Vijender Singh Kharb, Ld. Addl.PP for the State.
Sh. Vinay Kumar Sharma, Ld. counsel for
applicant/accused.
IO/Insp. Rajesh Meena is present.

This is the second application under Section 483
BNSS moved on behalf of the applicant/accused Shubham Yadav
seeking regular bail.

Reply has already been filed. Copy already supplied.

Ld. Counsel for applicant/accused has submitted
that applicant/accused has been falsely implicated in the present
case. He has further argued that applicant/accused has not been
named in the FIR. He has further argued that the prosecution is
relying on the CCTV footage in the present case, as per which,
accused herein can be seen speaking to the mother of Puneet
(since deceased) with folding hands. He has further argued that
he can be simply seen standing at the spot and all of a sudden
from behind, someone had inflicted knife blow upon the chest of
Puneet (since deceased). Ld. counsel has further submitted that
applicant/accused had also taken Puneet to the hospital showing
that he stayed at the spot and was trying to help the family.

Ld. counsel has further submitted that charge-sheet
has been filed in the present case. He is in JC since 17.03.2026.

Ld. counsel has further submitted that no purpose would be served by keeping the applicant/accused behind the bars. He has further submitted that accused/applicant is ready to abide by any condition imposed by this court for granting bail and, therefore, he be granted bail.

On the other hand, Ld. Addl. PP for State accompanied by the IO has vehemently opposed the bail application stating that there are serious allegations against the applicant/accused and, therefore, the bail application should be dismissed.

I have heard the arguments and have perused the record carefully.

As per the case of prosecution, complainant Ram Avtar, who is father of deceased Puneet, stated that on 04.03.2026 at about 4:00 PM, while he was present at home, he heard noise of a quarrel outside. On coming out, he saw that Sandeep @ Lambu and his nephew Akash were fighting with accused Omkar, Jitender, accused Dharmender, Dheeraj, and others from the same colony. At that time, his son Puneet (since deceased) was at Gola Dairy. He intervened and told all of them not to fight there, after which they left. He then went back inside his house. At about 6:00 PM, his son Puneet (since deceased) returned home. Later, at about 9:00 PM, he again heard loud noise. His wife Premvati opened the main gate and stepped outside and Puneet also came out. He saw accused Omkar, accused Dharmender and their associates had returned. Some of them were holding sticks (danda). He again asked them to stop

fighting. During this, his son Puneet (since deceased) objected to them returning again to fight. One of the boys said Puneet was speaking too much and then took out a sharp knife from his pant and stabbed his son Puneet (since deceased) on the right side of his chest. Puneet caught the knife but it was pulled out, and he fell down. The accused persons, including accused Omkar, accused Dharmender and the boy who stabbed, fled from the spot. After the incident, he tried to stop the bleeding of his son. His elder son Abhishek, who runs a glass disposal shop in Gali No. 5, also arrived. With the help of a boy named Rahul from the locality, his son Puneet was taken on a motorcycle to Bhagat Chandra Hospital. Due to his serious condition, he was referred to Manipal Hospital, where the doctor declared him (Puneet) dead. Later, he came to know that the boy who stabbed his son is CCL 'G'.

The statements of several public witnesses including family members of deceased have been recorded in the present case. As per the statement of mother of deceased namely Premwati, at about 9:00 pm, she was present along with her husband and son Puneet (since deceased) and domestic helper Rubi at her house and they heard loud noises in the gali. She came out of the house and her husband and her son Puneet (since deceased) also came from behind. She found that 7-8 boys had come out of whom accused Shubham Yadav, Dharmender, Omkar and Pratham were present. Accused Shubham Yadav came to her and tried to touch her legs and stated that *“aaj kuch karke jaunga”*. In the meantime, other accused Omkar asked to

take out the knife stating that his elder brother had been beaten, on which one of the boy out of those 7-8 boys took out the knife and inflicted knife blow upon the chest of Puneet. The domestic helper Rubi took Puneet inside the house and accused Shubham Yadav, Omkar and Dharmender came inside the house and took Puneet outside the gali towards the chowk where he got unconscious and they ran away from the spot.

CCTV footage has been perused apart from perusing the case file carefully.

In so far as submissions of folding hands by accused Shubham Yadav is concerned, mother of deceased namely Premwati herself has told as to what accused Shubham Yadav said to her. The veracity of the statement of the mother of deceased can only be checked after her evidence is recorded.

In so far as the other submission of Ld. counsel regarding taking Puneet to the hospital by accused herein is concerned, it is noted from the statements of witnesses that applicant/accused along with other co-accused Omkar and Dharmender had taken Puneet from his house after he was stabbed. Co-accused Omkar was the one, who had made out a call to take out the knife. Merely from the fact that all these three accused persons including accused herein had taken Puneet from the house, it cannot be assumed that they were shifting Puneet to hospital. As per the statements of witnesses present at the spot, all accused persons left him (Puneet) on the middle of the road and ran away from the spot.

The CCTV footage shows that all accused persons

including accused herein were carrying dandas in their hands. All the public persons, who have been examined under Section 180 BNSS, also stated that some of them were carrying dandas and some were carrying rods in their hands. Undoubtedly, accused herein is not the one who had inflicted knife blow upon the chest of Puneet, however, mere absence of an overt act on the part of accused would not by itself negate the allegations of sharing common intention by him with other accused persons to commit murder of Puneet.

Public witness/ eye witness are yet to be examined. There is every likelihood or possibility that in case he is granted bail, he shall approach or try to influence or threaten the public witnesses in the present case.

In the backdrop of discussion made herein above, this Court is not inclined to grant bail to the applicant/accused Shubham Yadav. Accordingly, the present bail application is dismissed and disposed off accordingly.

Copy of this order be given dasti to Ld. Counsel for applicant/accused.

Nothing mentioned hereinabove shall tantamount to expression of opinion on the merits of this case.

(Vandana Jain)

ASJ-03 & Special Judge (Companies Act)
Dwarka Courts (SW)/ND/24.07.2026