

IN THE COURT OF AJIT PAL SINGH,
ADDITIONAL SESSIONS JUDGE, FAZILKA.
(UID NO.PB0226)

Case Details

Case Type	BA
Regn. No.	BA/2712/2025 Date of Regn. 23.09.2025
CNR No.	PBFZC0-0067962025
Date of order	16.10.2025.

Nardev Singh @ Bobby Mann aged 51 years son of Jora Singh Mann
resident of village Chak Suhele Wala P.S. Varoke Tehsil Jalalabad District
Fazilka.

...Applicant.

Versus

State of Punjab

...Respondent.

~~~

FIR No.142 dated 05.10.2024  
U/s.109/115(2)/ 351(2)/ 191(3)/190 BNS &  
Sections 25, 27 Arms Act  
Police Station City Jalalabad

~~~

Regular Bail application

Present: Shri J.S.Kalra, Advocate counsel for applicant.
Shri Gurbaj Singh, Additional PP for the State.

ORDER:

1. Present application filed on behalf of applicant/accused
Nardev Singh @ Bobby Mann seeking regular bail in the matter, details of
which have been referred above, shall be disposed off through this order.
2. The FIR in the present case was registered on the statement
of complainant Gurpreet Singh son of Beant Singh got recorded on
05.10.2024 whereby, it was informed by the complainant that he is worker
of Aam Adami Party and filed nomination for the election of Sarpanch of

village before Returning Officer Jalalabad and against him, Harpinder Singh son of Vardev Singh of Akali Party also filed nomination for the election of Sarpanch. The complainant further informed that he alongwith his uncle Ex. Sarpanch Shaminder Singh had come to BDPO office in regard to nomination papers. Mandeep Singh of their party who had also filed nomination for the election of Sarpanch of village Chak Muhamade Wala was already present in said office. At about 4:30 PM, Vardev Singh @ Nony Mann, Nardev Mann @ Bobby Mann, Harpinder Singh, Harman Singh, Balraj Singh accompanied by 15/20 unidentified persons were already present in BDPO office. He raised objection on the nomination paper of Harpinder Singh aforesaid on the ground that Harpinder Singh is in illegal possession of Panchayati land and due to that reason, they were keeping grudge against him and his uncle Shaminder Singh. Yesterday i.e. 04.10.2024 an altercation also took place between them while submitting nomination papers and the opposite party threatened to teach him a lesson for contesting election against them. Due to that grudge, today the aforesaid persons while seeing them in BDPO office started abusing and started throwing brick bats towards them. It is further informed by the complainant that when they tried to go away, Nardev Singh @ Bobby Mann fired from his revolver towards him which did not hit him. Then second fire was made by Vardev Singh @ Nony Mann with intention to kill him which also did not hit him rather, the same hit Mandeep Singh below his chest. Thereafter, Harpinder Singh, Harman Singh, Balraj Singh and 15/20 unidentified persons accompanying them while throwing brick

bats, raising lalkaras ran away therefrom on their vehicles alongwith their respective weapons. It was further informed by the complainant in the occurrence, Rajesh Kumar son of Tilak Raj also received injuries.

3. Notice of the bail application was served upon the State through learned Additional PP alongwith copy of bail application, who received the same, appeared and contested the bail application on merits. Police record was requisitioned which has been received and perused.

4. I have heard the respective contentions of both the learned Advocates and have perused the record with their able assistance.

5. Learned counsel for the applicant-accused mainly argued that the fire allegedly made by the applicant did not hit anyone. It is pointed out that the challan against the co-accused has already been presented and statement of Mandeep Singh under Section 161 Cr.PC has been recorded therein during investigation which falsified the case of the complainant with regard to fire being shot by applicant. There is no allegation that applicant fired at the complainant. It is further pointed out that another witness namely Rajesh Kumar son of Tilak Raj has been introduced in report under Section 193(3) BNSS despite his name having not figured in the FIR. It is pointed out that injured Mandeep Singh did not get himself admitted at Medical College, Faridkot nor did he get conducted his x-ray examination. It is pointed out that from the contents of the FIR and statements of witnesses recorded during investigation, no firearm injury is attributed to the applicant nor there is any specific allegation of firing by the applicant and the contradictory evidence recorded during the

investigation threw a doubt upon the veracity of the prosecution case. It is pointed out that as per the statement of Rajesh Kumar one palate hit on the inner side of hand and allegedly the weapon stated to be with the applicant is pistol and as such, there is no possibility of the injury on the person of Rajesh Kumar being caused by applicant. It is pointed out that the weapon of the applicant and non-applicant Noni Mann has already been taken into police possession alongwith vehicle and thus the custodial interrogation of the applicant is not necessary. There is no medical opinion regarding the injuries on the person of injured being firearm injury and as such, the allegations in the FIR are yet to be proved by way of leading the evidence. It is pointed out that after completion of investigation the challan has already been presented in the Court. There is no allegation in the report under Section 193(3) BNSS or by the complainant that applicant in any way has tampered with the evidence or tried to win over the witnesses during the period he was not arrested. The petition bearing No.CRM-M-26053 of 2025 titled Vardev Singh @ Noni Maan and other versus State of Punjab and other is pending before Hon'ble High Court wherein, vide order dated 22.08.2025, the investigating agency is directed to continue the investigation however, it has been mentioned therein that in case the challan has been filed, the trial court concerned is restrained from taking cognizance of the matter till the decision of the said petition. It is pointed out that since the proceedings before the trial court at this juncture are stayed, there is no likelihood of early conclusion of the trial and even otherwise as per the report under

Section 193(3) BNSS submitted by the investigating agency, 48 witnesses have been cited therein. The complainant being affiliated to Aam Aadmi Party has been instrumental in the false implication of the applicant and others and that the act and conduct of the complainant party is elucidated from the fact that on earlier occasion, one case FIR No.129 dated 12.06.2002 under Sections 188, 379, 324, 323, 506, 148, 149 IPC and Sections 25/27 Arms Act was registered at P.S. Sadar Jalalabad on the statement of Shamsher Singh against Vardev Singh and Nardev Singh wherein, they were acquitted on 19.05.2011. Another complaint titled as Major Singh versus Rattan Kaur etc. was filed by Major Singh wherein, Beant Singh father of complainant of present case and Sandhura Singh father of Shaminder Singh eye witness of the present case were witnesses wherein, Vardev Singh brother of the applicant was arrayed as accused, resulted into acquittal of the accused. In the end, a prayer for grant of regular bail to the applicant has been made.

6. The bare perusal of the allegations against the accused as per the FIR are to the effect that the applicant-accused fired from his revolver at Gurpreet Singh which did not hit the complainant and second fire made by Vardev Singh @ Nonny Mann also did not hit the complainant but hit on the chest of Mandeep Singh son of Jasbir Singh. Applicant and non-applicants thereafter raised Lalkaras, hurled bricks and ran away from the spot. Undisputedly, the accused-applicant armed with firearm i.e. revolver was present in the office of BDPO. It is undisputed that both Vardev Singh @ Nonny Mann and the applicant-accused i.e. Nardev

Singh @ Bobby Mann fired shots from their revolvers. Learned defence counsel argued that no fire injury is attributed to the applicant-accused. This argument is not tenable as at this stage the intention to kill is to be seen and not the injury. Immediately after the fire being opened by the applicant-accused, the other non-applicant fired from his revolver which hit Mandeep Singh on his chest. At the first look, firing on somebody's chest shows the clear cut intention to kill. More so, the applicant-accused being armed with revolver at that time, it cannot be said that he fired from his revolver without having any intention to kill any person. Apparently, it was a crowd standing at the spot and any fire opened at that time would surely have hit some person if not the injured Mandeep Singh. Further, there is also an injury on the body of Rajesh Kumar. Learned counsel for the accused tried to highlight the contradictions in the statements of Mandeep Singh and Rajesh Kumar but, these contradictions are matter of trial and evidence and the detailed scrutiny of the same is not warranted at this stage and more so there are clear cut allegations that accused also opened fire at the time of occurrence. The argument regarding medical opinion on the injury may also be appreciated at the time of trial only. Further filing of challan in the Court against Vardev Singh Mann is no ground to allow the bail application of the present accused. The learned defence counsel also stressed that the Hon'ble Punjab & Haryana High Court vide order dated 22.08.2025 in CRM-M-26053 of 2025 titled as Vardev Singh @ Non Mann and others versus State of Punjab have clarified that investigation agency shall continue the investigation but, in

case the challan has been filed, the trial Court concerned is restrained from taking cognizance of the same till the decision of the said petition. Both learned Additional PP and the defence counsel present in the court argued that restraint order is regarding taking of cognizance and that does not debar this Court from dealing with the bail application in hand. The allegations are such that applicant-accused if released on bail may try to threaten the complainant or other eye witnesses or even abscond. Mere custody of the accused in such case cannot be a ground to release the accused on bail. In view of the above discussion and also keeping in view the fact that there were other three FIRs registered against the accused under various sections of IPC, the accused does not deserve the leniency of bail and hence the bail application stands dismissed being without merits. File be consigned to the record room.

**Pronounced in open Court.
Dated: 16.10.2025.**

vinay

**Ajit Pal Singh,
Additional Sessions Judge,
Fazilka : UID No.PB0226**