

Harmanpreet Singh @ Harman Vs. State**CIS No: BA/1982/2025**

Present: Sh. Basant Lal Malhotra and Sh. Pankaj Malhotra Advocates, for the applicant(s)/accused.
Sh. Gurinder Singh Id. APP for the State.

First Bail Application u/s 483 of BNSS, 2023**ORDER**

1. An application has been filed for adding section 324(4) and 238 BNS in the head note of the bail application wherein it has been submitted that accused/ applicant did not mention the section 324(4) and 238 BNS act in the head of the bail application as said sections were not mentioned in the FIR and were added later on, in this case and that non adding of section 324(4) and 238 BNS in the bail application is not intentional. Heard in view of submissions made in application, the same is hereby allowed and Reader of the Court is directed to make the necessary endorsement on the bail application.

2. Heard on the bail application filed on behalf of the applicant/accused u/s 483 of BNSS for regular bail, in case/FIR no. 180 dt. 22.07.2025 u/s 103(1), 109, 61(2), 249, BNS,2023 and under section 25,27,54,59 of Arms Act, and later on added sections 324(4) and 238 BNS, PS City Kotkapura, whereby, it is submitted that accused/ applicant has been falsely implicated in the present case. Moreover his name is not mentioned in the FIR. The accused/ applicant has been nominated in this case on the basis of the statement made by one Jaswant Singh son of Kashmir Singh resident of Bagdadi gate, Ferozepur City on 26.07.2025 and after that he has stated that the accused/ applicant has given shelter to the co-accused / non applicant after the alleged murder committed on dated 22.07.2025 and the co accused (non applicant) / unidentified persons as stated in the FIR, stayed in his house at District Ferozepur. FIR has been registered against the three unidentified accused and later on false story has been created by the police just to implicate the accused in this case. There is nothing to recover from the possession of the accused/ applicant. Accordingly, prayer is made for allowing the present bail application.

3. Upon notice, Id. APP put in appearance on behalf of the State. Although, no reply is sought to be filed by the Id. APP, to the present bail

application, but the same is hotly contested by the ld. APP and prayer is made for dismissal of the present bail application.

4. Brief facts of the present case are that the instant FIR was registered on the statement/ complaint of Jagmail Singh son of Baldev Singh whereby it is submitted that he is resident of village Joga District Mansa and is running a poultry farm and that his in laws family is resident of village Bahman wala, District Faridkot and that his father in law Gulzar Singh Numbrar expired on 13.07.2025 and on the day of occurrence, his bhog was held at Gurdwara Sahib Village Dhab Guru Ki and that he has gone there to attend the bhog ceremony. After the bhog ceremony at about 03:00 P.M. he was returning in his Endeavour car bearing registration No. PB-65BA-0041 which was being driven by Yadwinder Singh son of Parkash Singh. He further stated that he was sitting on the conductor seat and his wife and other family members were sitting on rear seat. He further stated that when they reached on the firmi of the Village Bahmanwala, then at about 03:10 PM, one motor cycle came from behind on which three young persons were there and driver of the said motorcycle took his motorcycle adjoining to the driver seat of the vehicle of the complainant and the person who was pillion rider at third seat of the motorcycle fired three shots with his pistol at Yadwinder Singh and that the said fire shots by breaking the glass of the vehicle hit the head of the driver and one fire shot was hit the right bycep of Yadwinder Singh. He further stated that due to the aforesaid firing on the driver Yadwinder Singh, he lost control over the vehicle and in the mean time the aforesaid three persons took their motorcycles in front of the vehicle of the complainant and the person sitting in the middle of the motorcycle, fired with his pistol at the complainant and the said fire by breaking open the glass of the vehicle passed over the head of the complainant. Accordingly on the basis of the said statement of the complainant the said FIR was registered.

During investigation accused Gumber Rajput, Manpreet Singh, Khushdeep Singh *and* others were nominated in the present case vide rapat no.49 dated 26.07.2025 and thereafter during further investigation the *present applicant/ accused* was also nominated in the present case.

5. The main contention of Ld. Defence counsel is that present accused is not named in the FIR and that he has been falsely implicated. He further argued that the only allegation against the present accused is that he has given shelter to the

main accused after the incident in question. He further argued that the present accused has no direct or indirect link with the main accused. Accordingly request has been made for allowing the application.

6. The said contentions of the Ld. Defence counsel are controverted by the ld. APP for the State. It is submitted by him that in present case under a deep rooted conspiracy one person was murdered by the co-accused(non applicants) of the present accused and that the present accused gave shelter to the main accused (non applicants) before and after the occurrence in question. He further argued that investigation in the present case is still undergoing and complete role in the whole occurrence in question of the present accused is yet to be ascertained. Accordingly, request is made for dismissing the present application.

7. After considering the rival contentions of both the parties and after going through the record carefully, this Court is convinced with the submissions of ld. APP for the State for the reasons to be recorded hereinafter.

8. In the present case serious allegations of committing grave offence of harbouring the main accused who are involved in murder case is there against the present accused and further as rightly pointed out by ld. APP for the State further investigation is still undergoing in the present case and complete role of the present accused in wole occurrence in question is yet to be ascertained. keeping in view the totality of facts of the present case and nature of allegations being there against the present accused, this court is of the opinion that the accused/ applicant is not entitled to the concession of regular bail in the present case, and as a sequel thereto, **the present bail application of the applicant(s)-accused is hereby dismissed.**

9. However, anything observed by this Court while deciding the present bail application will not be construed as any expression of opinion on the merits of the main case. Paper of the bail application be attached with the challan/remand papers. Bail application file/papers be consigned to Record Room.

Pronounced in Open Court:
Dated:13.10.2025
Madhu Bala

(Krishan Kant Jain)
JSC/Additional Sessions Judge,
Faridkot/(UID:PB0163)