

CNR No. PBRO010047352025



Case No. BA/1430/2025

Presented on : 20-08-2025
Registered on : 20-08-2025
Decided on : 09-09-2025

**IN THE COURT OF MOHIT BANSAL
ADDITIONAL SESSIONS JUDGE, RUPNAGAR
(UID No.208)**

**Harmol Singh
Vs.
State of Punjab**

FIR No.95 dated 29.07.2025
U/s: 109, 191(3), 190, 125, 351(2), and
Section 238 of BNS (added later on) and
Section 25 of Arms Act.
P.S: Nurpur Bedi.

Application under Section 482 of BNSS

Present: Sh. Manjeet Singh Nagra Advocate, Learned Counsel for
applicant-accused Harmol Singh.
Sh. Vijay Kumar, Ld. APP for the State along with ASI
Charan Singh No.764/R, PS Nurpur Bedi.
Sh. M.S Dhindsa Advocate, Ld. Counsel for complainant
Gurdeep Singh.

ORDER

1. An application for adding offence under Section 238 of BNS has been moved on behalf of the applicant-accused Harmol Singh stating therein that offence under Section 238 has been added in the FIR later on. In view of the averments made in the application as well as police record, the applicant in hand, stands allowed. Amended title has been filed.
2. Vide present order, the instant bail application under Section 482 of BNSS, filed on behalf of the applicant-accused Harmol Singh, is being disposed of. Police Record has been produced by ASI Charan Singh

No.764/R, PS Nurpur Bedi. Sh. Manbir Singh Dhindsa Advocate, appeared and filed power of attorney on behalf of complainant Gurdeep Singh. Same be taken on record.

3. It is averred in the instant bail application that a false FIR has been lodged against the applicant-accused. The applicant-accused is innocent and has committed no offence. Nothing is to be recovered from the applicant-accused. The applicant is ready to join the investigation. With these averments, a prayer for allowing the instant bail application, has been made.

4. Sh. M.S Nagra Advocate, Learned Counsel for applicant-accused has submitted that the offence under Section 109 BNS has been deleted from the present FIR, which goes to show that version of the complainant is false. The Learned Counsel has submitted that the only non-bailable offence is Section 25 of Arms Act. The Learned Counsel has submitted that the allegations against the applicant-accused, are false. Upon this, a prayer for allowing the instant bail application, has been made.

5. On the other hand, the Learned APP for the State assisted by Sh. Manbir Singh Dhindsa Advocate, Learned Counsel for the complainant, has submitted that there are severe allegations against the applicant-accused. Sh. M.S Dhindsa Advocate, Learned Counsel for complainant has submitted that two brothers of Baljinder Singh have been murdered. The same group through the present accused is trying to kill the complainant. In case the accused is released on bail, there is apprehension

to the safety of the complainant. Upon this, a prayer for dismissal of the present bail application, has been made.

6. I have heard the rival submissions and perused the record carefully.

Brief facts of the FIR

7. The present FIR has been registered on the basis of complaint/application moved by the complainant Gurdeep Singh son of Darshan Singh to the police wherein he has stated that on 29.07.2025, he along with Baljinder Singh son of Harmesh Singh, at about 05:00 A.M, were sitting on the stairs of crusher. In the meantime, six vehicles came from the side of theka in which approximately 22/23 persons were sitting. They parked their vehicles in one queue near Shagan Crusher and started firing on the complainant with intention to kill them (complainant and Baljinder Singh). Ajwinder Singh resident of Bahihara was raising lalkara and asking the complainant and Baljinder Singh to come out and was saying that he would kill them.

8. The complainant has further stated that they rescued themselves hardly by hiding themselves in the courtyard of crusher. The complainant identified some of the assailants as Ajwinder Singh, Jaswinder Singh @ Goldy, Jashandeep Singh @ Jashan, Daljeet Singh @ Bunty, Lovepreet Singh, Sunny, Karamjit Singh @ Basu Harmail Singh, Harjeet Singh along with some 12/13 unknown persons. The complainant has further stated that he can identify the unknown persons, if they are produced before him. The complainant has further identified vehicle bearing No.PB-12-AD-0067 make Fortuner of Ajwinder Singh, Scorpio bearing

No.PB-16-F-0037 of Lovepreet Singh, Fortuner bearing No.PB-10-8182 of Daljeet Singh, Fortuner bearing temporary No.T0725HR4189BG of Jashandeep Singh, Bolero of Ajwinder Singh and Scorpio of black colour of Harmail Singh.

9. The complainant has further stated that Ajwinder Singh was armed with 12 bore rifle, Jaswinder Singh @ Goldy was armed with pump action rifle, Karamjit Singh and Sunny were armed with pistol. After firing, the above-said accused persons ran away from the spot along with their respective weapons. A request to take legal action against the above-said accused persons, was made.

Conclusion

10. As per the allegations, there were many rounds were fired by the accused Ajwinder Singh, Jaswinder Singh, Karamjit Singh and Sunny. There is no allegation that Harmil Singh applicant herein, was having any weapon. There is no injury caused to the complainant Gurdeep Singh and Baljinder Singh. As regards the version of the Learned Counsel for the complainant that two brothers of Baljinder Singh have been murdered and the applicant is also member of the same group, at this stage, no finding can be given qua the same.

11. Keeping in view the foregoing discussion where there is only general allegations against the applicant-accused, further keeping in view the principle that bail is rule and jail is an exception, the instant bail application for grant of anticipatory bail filed on behalf of the applicant-accused Harmol Singh, deserves to be allowed and is hereby allowed.

12. Thus, the applicant-accused Harmol Singh is directed to join the investigation within 10 days from today and in the event of his arrest, he be released on bail to the satisfaction of the investigating/arresting officer subject to the conditions/provisions laid down under Section 482 of BNSS/438 Cr.P.C. It is made clear that in case applicant/accused fails to appear before the Investigating Officer within the period mentioned above, then the present bail application shall be deemed to be dismissed. A copy of this order be forwarded to the SHO concerned for information and necessary action.

13. Nothing observed herein shall have any effect on the merits of main case, as the observation made herein are only for the purpose of deciding the present bail application.

14. Police record be returned. Bail application be consigned to the Judicial Record Room, Rupnagar.

Pronounced in the open Court
Dated: 09.09.2025.

Anis STG-II

(Mohit Bansal)
UID NO.PB0208
Addl. Sessions Judge
Rupnagar.