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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**214**

**CRM-M-26046-2025  
Decided on:22.07.2025**

**Vardev Singh @ Noni Mann**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CRM-M-29057-2025  
Decided on:22.07.2025**

**Nardev Singh @ Bobby Mann**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**Coram : Hon'ble Mr. Justice Rajesh Bhardwaj**

Present: Mr. Bisman Mann, Advocate,  
Mr. Saurav Bhatia, Advocate,  
Mr. Veer Vikram Singh Mann, Advocate,  
Mr. Naurajdeep Singh, Advocate, for the petitioners.

Mr. T.P.S. Walia, AAG, Punjab.

Dr. Anmol Rattan Sidhu, Senior Advocate, with  
Mr. Raghav Gulati, Advocate, and  
Mr. Rahul Kesar, Advocate, for the complainant.

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**Rajesh Bhardwaj, J.**

1. Prayer in the present petitions, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioners in case FIR No.142 dated 05.10.2024, registered under Sections 109/115(2), 351(2), 191(3), 190 of the BNS, 2023 and 25 of the Arms Act, at Police Station City Jalalabad, District Fazilka.

2. It is apposite to mention here that petitioner Vardev Singh @ Noni Mann has filed the present first petition bearing CRM-M-26046-2025, whereas petitioner Nardev Singh @ Bobby Mann has filed the present second petition bearing CRM-M-29057-2025 as his first petition bearing CRM-M-22763-2025

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for grant of anticipatory bail was dismissed by this Court vide order dated 03.05.2025. In CRM-M-26046-2025, a Coordinate Bench of this Court had granted interim protection from arrest to petitioner Vardev Singh @ Noni Mann vide order dated 19.05.2025 and, thereafter, the case was posted for 02.07.2025 for hearing. However, the complainant/first informant of the FIR, namely, Gurpreet Singh, assailed the said interim order dated 19.05.2025 before the Supreme Court by way of SLP (Criminal) No.29388/2025 and the same was disposed of by the Supreme Court vide its order dated 29.05.2025 by observing as follows:-

- “1. *Permission to file the Special Leave Petition is granted.*
2. *We are not inclined to entertain the present petition since it arises out of purely an interlocutory order. By the impugned order the High Court has only granted interim protection for a short period.*
3. *The matter was posted yesterday. On a query put to the learned counsel appearing for the petitioner as to what happened before the High Court yesterday, it is informed that the matter is now kept on 02.07.2025 on account of pendency of the present petition.*
4. *Since the High court has kept the matter on 02.07.2025 only on account of the pendency of this petition, we request the High Court to prepone the matter and decide the issue with regard to continuation or discontinuation of the interim protection.*
5. *The Special Leave Petition stands disposed of in the above terms.*
6. *Pending application(s), if any, shall stand disposed of.”*

Hence, in compliance of the order passed by the Supreme Court, both these petitions are taken up for final hearing.

3. Succinctly, the facts of the present case are that the FIR in question had been registered on the statement of the complainant, namely, Gurpreet Singh son of Beant Singh, who had alleged that he is a worker of Aam Aadmi Party

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and had filed his nomination paper for contesting election of Sarpanch of his village with the Returning Officer, Jalalabad. His Chacha (uncle) Shaminder Singh was along with him. Harpinder Singh son of Vardev Singh, who belongs to the opposite political party, Akali Dal, has also filed his nomination paper for the post of Sarpanch. He along with his Chacha, (Ex.-Sarpanch Shaminder Singh) had come to the office of the BDPO, Jalalabad for filing the nomination paper. Mandeep Singh, who was a party worker, was also present in the office at that time and had filed his nomination paper for the post of Sarpanch of village Chak Mohammade Wala. At about 4.30 p.m., Vardev Singh @ Noni Mann and Nardev Singh @ Bobby Mann (petitioners herein), Harpinder Singh son of Vardev Singh, Harman Singh, Balraj Singh along with 15-20 unknown persons, who could be identified by him, were already present in the office of the BDPO. He produced objections on the nomination paper of Harpinder Singh on the ground that he was in illegal possession of the panchayat land of village Chak Suhele Wala and had set up his private office on the panchayat land as well as their private school in the name of Mata Gujri Public School is also established on this land. Hence, the NOC of the said school had already been cancelled by the State of Punjab and the recognition/affiliation granted by the CBSE was also cancelled. The said cancellation had been assailed by them before the Hon'ble High Court by way of filing two writ petitions and due to the same, Vardev Singh and Nardev Singh were nurturing a grudge against him and his Chacha Shaminder Singh. It is because of the same, all those persons started throwing brickbats on them when they reached in the office of the BDPO. When they tried to slip away from the spot, Nardev Singh @ Bobby Mann fired a shot from his revolver towards him which did not hit him. Thereafter, Vardev Singh @ Bobby Mann, with an intention to kill him, fired a shot from his revolver, however, the said fire shot did not hit him instead the bullet hit on the chest of Mandeep Singh who was standing beside him. The

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assailants kept on throwing brickbats on them and while raising *lalkaras* (exhortation), they escaped from the place of occurrence. The complainant, with the help of his Chacha Shaminder Singh and others, shifted Mandeep Singh to Civil Hospital, Jalalabad where the doctor referred him to DMC, Ludhiana. Later on, he came to know that in this incident, Rajesh Kumar son of Tilak Raj also sustained injuries. The request was made to take legal action against all the culprits. On registration of the FIR, the investigation commenced. Apprehending arrest, petitioner Vardev Singh @ Noni Mann approached the learned Additional Sessions Judge, Fazilka, for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to him vide order dated 06.05.2025. However, the anticipatory bail application filed by petitioner Nardev Singh @ Noni Mann was declined by the learned Additional Sessions Judge, Fazilka vide order dated 24.04.2025 and he had earlier approached this Court by way of filing CRM-M-22763-2025, which was dismissed by this Court vide order dated 03.05.2025 and, thus, he has approached this Court again by way of filing the present second petition bearing CRM-M-29057-2025 for grant of concession of anticipatory bail.

4. Learned counsel for the petitioners has vehemently contended that the petitioners have been falsely and frivolously implicated in this case as an act of political vendetta. It is submitted that admittedly, the complainant in the present case is an active member of the ruling Aam Aadmi Party, whereas the petitioners before this Court belong to the opposite Akali Dal party. It is submitted that father of the petitioners is an Ex.Member of Parliament. Petitioner-Vardev Singh also contested election for the Member of Legislative Assembly but remained unsuccessful. It is submitted that the petitioners have been deliberately implicated in the present case. Petitioner Vardev Singh's son Harpinder Singh Mann was filing the nomination paper for the post of Sarpanch, which the complainant, being member of the ruling party, was

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opposing. In order to restrain the petitioners from filing the nomination paper(s), the complainant party misused the government machinery. It is submitted that by misusing their power, the complainant party got the nomination paper of the petitioner Vardev Singh's son cancelled under the influence of the local MLA and his supporters. It is also submitted that the petitioners owned license of .30 bore pistols, from which they never fired, however, the complainant and his supporters fired various shots with their respective weapons. It is further submitted that the bullets were never fired from the licensed weapon of the petitioner(s) but it was the supporters of the complainant who had fired in a clandestine manner, for which the petitioners have been falsely implicated in a deliberate manner. It is vehemently contended that the injured has suffered pallet injuries which is not possible from the fire of a pistol. It is, thus, evident that the licensed weapons of the petitioner(s) were never used in the alleged occurrence. It is submitted that as per the directions of the Election Commission, the CCTV cameras are to be installed and the process of election is to be video-graphed, however, the complainant side, being from the ruling party, had erased all the video recordings in order to suppress the truth. It is submitted that wife of the petitioner(s) had filed various representations to the SSP, Fazilka but he, being under the influence of the ruling party, intentionally did not take any action upon them and openly sided with the complainant. Learned counsel for the petitioners also relied upon catena of judgments in support of their case and submits that in the FIR itself, it has been alleged that the petitioner(s) had fired with the intention to kill the complainant; however, the same did not hit the complainant instead it hit Mandeep Singh. Thus, it is evident that the petitioner(s) had no intention to hit Mandeep Singh. It is submitted that since there was no intention on the part of the petitioner(s), therefore, the offence under Section 109(1) of the BNS, 2023 is not even made out. It is submitted

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that petitioner Vardev Singh @ Noni Mann has already been granted interim protection and was directed to join the investigation, which he had already joined and, thus, he deserves the grant of anticipatory bail. On the other hand, though the earlier anticipatory bail application of petitioner Nardev Singh @ Bobby Mann was dismissed by this Court but under the changed circumstances, he also deserves to be granted concession of anticipatory bail.

5. *Per contra*, learned senior counsel appearing on behalf of the complainant has vehemently opposed the submissions made by learned counsel for the petitioners and submits that the petitioners have been specifically named in the FIR. He further submits that the petitioners were duly armed with the fire arms and they fired from their respective weapons and they also fired the shots with intention to kill. It is submitted that the incident has taken place at the time of filing the nomination papers and evidently, large number of people were present there at the time of occurrence and, thus, the argument raised by learned counsel for the petitioners that there was no intention to kill is totally misconceived. He further submits that the ocular version is duly corroborated with the medical evidence and, thus, no case is made out for grant of anticipatory bail in view of the attending facts and circumstances.

6. Learned State counsel has also vehemently opposed the bail applications and drawn attention of this Court to the status report filed. He has submitted that the present case is the case of eye witness account. Both the petitioners were duly present at the time and place of occurrence and due to the shots fired by them, both Mandeep Singh and Rajesh Kumar suffered fire arm injuries. He further submits that the arguments advanced by learned counsel for the petitioners are totally misconceived as the same are disputed questions of facts, which can be assessed during the trial. It is submitted that fire arm injuries are duly corroborated with the medical evidence and for the free and fair investigation, custodial interrogation of both the petitioners are required. It is

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further submitted that the petitioners are habitual offenders as they are involved in many other cases as well. He further submits that in view of the attending facts and circumstances, no case for grant of anticipatory bail is made out even if petitioner Vardev Singh @ Noni Mann had joined investigation in terms of the interim order passed by this Court. He submits that *prima facie* case is made out against the petitioners as per the investigation conducted so far and hence, prays for dismissal of the present petitions as the investigation is still at threshold and grant of anticipatory bail to the petitioners would adversely affect the ongoing investigation.

7. After hearing learned counsel for the parties and perusing the available record, it is deciphered from the arguments advanced that the occurrence in the present case had taken place in the office of the BDPO, Jalalabad at the time of filing of nomination papers for the election of the post of Sarpanch. Admittedly, the complainant belong to the ruling Aam Aadmi Party and the petitioners belong to the rival Akali Dal party and they were very much present at the time and place of occurrence. As per the allegations, the petitioners had fired shots from their respective weapons which hit Mandeep Singh and Rajesh Kumar and perusal of the record would show that on account of the fire arm injury sustained by injured Mandeep Singh, he remained admitted in DMC College & Hospital, Ludhiana from 05.10.2024 to 19.10.2024 and 07.12.2024 to 19.12.2024, a total of 28 days. The MLRs produced also corroborate the allegations of fire arm injuries. The FSL report with regard to the weapon used and the injuries sustained are still awaited. Since the investigation is at threshold, therefore, the contentions raised by the learned counsel for the petitioners cannot be appreciated at this stage where they have approached this Court for the grant of concession of anticipatory

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bail. However, the same could be appreciated at the relevant stage. Further, the judgments relied upon by learned counsel for the petitioners are distinguishable on the basis of facts and circumstances of the present case.

8. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

***“482. Direction for grant of bail to person apprehending arrest:***

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including*
  - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
  - (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
  - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
  - (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”*

9. Hon'ble Supreme Court in State represented by **CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning

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a suspect who is well ensconded with a favorable order under Section 438 if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

10. Hon’ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632**, has time and again reiterated that while considering the anticipatory bail, the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

11. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

12. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner do not qualify for exercising the

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extraordinary power by this Court in his favour. Resultantly, the present petition, being devoid of any merit, is hereby dismissed.

13. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

14. A photocopy of this order be placed on the file of another connected case.

**July 22, 2025**  
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**(Rajesh Bhardwaj)**  
**Judge**

Whether Speaking/Reasoned: NO/YES  
Whether Reportable: NO/YES