



CRM-M-798-2026

-1-

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

CRM-M-798-2026 (O&M)

Date of Decision: 10.04.2026

Vardev Singh @ Noni

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Saurav Bhatia, Advocate, for the petitioner.
Mr. T.P.S. Walia, AAG, Punjab.
Mr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Rahul Kesar, Advocate and
Mr. Sumant Ghuman, Advocate,
for the complainant.

Rajesh Bhardwaj, J.**CRM-6799-2026**

Allowed as prayed for. Annexure P-18 i.e. the copy of the
challan dated 24.01.2026 is taken on record.

Main case

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.142 dated 05.10.2024, registered under Sections 109/115(2), 351(2), 191(3), 190 BNS, 2023 and Section 25 of Arms Act (Section 27 of Arms Act added lateron), (Section 125 BNS added vide GD No.20 dated 23.01.2026) at Police Station City Jalalabad, District Fazilka.
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Gurpreet Singh. It was alleged by the complainant that he is worker of Akali Dal 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 alleged that he alongwith his uncle who is 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 @Noni Mann (petitioner), 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 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. On 04.10.2024 an altercation also took place between them regarding submission of nomination papers and the opposite party threatened to teach him a lesson for contesting election against them. Due to that grudge, on 05.10.2024 the aforesaid persons on seeing them in BDPO office started abusing and throwing brick bats towards them. It was further alleged 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 @ Noni Mann (petitioner) 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, raised *lalkaras* and then, ran away therefrom on their vehicles alongwith their respective weapons. It was further alleged that Rajesh Kumar also received injuries in the occurrence. Thus, request was made to take legal action against the culprits. On the registration of the FIR, the



investigation commenced. The petitioner was arrested on 08.11.2025. The petitioner approached the Court of learned Additional Sessions Judge, Fazilka praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 23.12.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

This Court vide order dated 03.11.2025 passed in CRM-M-26053-2025 had entrusted the investigation of this case to the SIT and in pursuance to the same, the SIT had filed the challan in the present case.

3. It has been vehemently contended by learned Senior Counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the petitioner and his family members have been falsely implicated in the present petition due to political rivalry. He contends that the petitioner and their family members had faced physical assaults and intimidation a day prior to the occurrence as alleged in the FIR. He further contends that the weapon which was allegedly used, is a licensed weapon i.e. .30 bore pistol and the same has not been discharged /fired since the year 2021. To strengthened his arguments, he has drawn the attention of this Court to the challan filed and has submitted that as per the challan, pistol .30 was recovered from the petitioner alongwith magazine and 04 live rounds, which were sent for examination to the FSL and no opinion could be given with respect to metallic pieces. He further contends that another injury i.e. pellet injury is not possible from a pistol and thus, the allegations made in the FIR against the petitioner are baseless and hence, the



false implication of the petitioner is writ large. He has relied upon the judgment of Hon'ble Supreme Court in case of **Dr. Rajinder Rajan vs. Union of India and another**, passed in SLP (Crl.) No.3326 of 2026 dated 01.04.2026 and has submitted that the grounds of arrest were not provided to the petitioner in writing. He has further contended that as per the MLR, the injured did not receive any external injury. He, thus, has submitted that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. Learned Senior Counsel for the complainant has vehemently opposed the submissions made by learned Senior Counsel for the petitioner. He submits that earlier an altercation took place between the parties and thus, the petitioner had a strong motive. He further submits that the target was Gurpreet Singh, however, the fire arm shot hit Mandeep Singh instead. He has submitted that injuries caused by the petitioner are duly corroborated with the MLR. He submits that the petitioner is a history sheeter, as he is involved in eight other cases of the similar nature. He has relied upon the judgment of Hon'ble Supreme Court in case of **Mihir Rajesh Shah vs. State of Maharashtra and another**, 2025 AIR SC 5554. He further submits that the petitioner is the main accused and hence, he does not deserve the concession of bail.

5. Additional affidavit of Gursewak Singh, PPS, Deputy Superintendent of Police, Sub Division Jalalabad, District Fazilka filed in Court is taken on record.

Per contra, learned State counsel has also vehemently controverted the submissions made by Senior Counsel for the petitioner. He



has submitted that the petitioner is a habitual offender who is involved in eight other cases. He submits that there are specific injuries attributed to the petitioner to the injured Mandeep Singh, out of which injury No.1 was found to be dangerous to the life and grievous in nature. He further submits that one pistol alongwith its magazine and four live cartridges were taken into police possession and sent to the FSL. He also submits that the bullet taken out from the body of the injured was also sent to the FSL, whereby it was found that the lead core of bullet contained in parcel is a projectile of pistol. He further submits that a SIT has also been constituted in the present case in pursuance of the order of this Court. On instructions, he submits that the charges are yet to be framed. He has placed on record the custody certificate of the petitioner.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind the bars from 08.11.2025. As contended by this Court, the petitioner was not provided with the grounds of arrest. It was also contended that the bullet which was taken out from the injured, as per report of the FSL, no opinion could be given with respect to metallic pieces. A perusal of the record, it is evident that admitted case of the prosecution is to the effect that the petitioner intended to fire at the complainant, whereas, fire arm hit Mandeep Singh instead. Thus, as per the case of the prosecution, the complainant against whom there was alleged intention, did not suffer any injury, whereas, the petitioner had no intention qua injured Mandeep Singh, who instead suffered fire arm injury. It is contended before this Court by learned Senior Counsel for the petitioner that no *prima facie* case under Section 307 IPC is made out against the petitioner



and he has been made scapegoat in the present case on account of the political rivalry between both the sides. Relying upon the judgment of Hon'ble Supreme Court, learned Senior Counsel for the petitioner has contended that arrest of the petitioner in itself is illegal as no grounds of arrest were provided to him before affecting his arrest. The custody certificate would show that the petitioner has suffered incarceration of 05 months & 01 day as on 09.04.2026. It further shows that though the petitioner is involved in two other cases, however, he has been arrested in those cases on production warrants. The investigation is complete, however, the charges are yet to be framed. There is no dispute regarding the judgment relied upon by learned Senior Counsel for the complainant, however, the same are distinguishable in the facts and circumstances of the present case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned Senior Counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing **two local** sureties/bail bonds to the satisfaction of the concerned trial Court/Duty Magistrate. The Investigating Agency would be at liberty to approach this Court for the cancellation of bail, in case the petitioner is found to be misusing the concession of bail.



9. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.
10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10.04.2026		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No2