

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2025:PHHC:164374-DB



Reserved on : 18.11.2025

Pronounced on : 27.11.2025

1. CRA-D-1414 of 2023P.S. @ R (CCL-1)

versus

.....Appellant

State of Punjab

.....Respondent

2. CRA-D-1235 of 2023D.S. (CCL-2)

versus

.....Appellant

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MRS. JUSTICE RAMESH KUMARI

Present : Mr. Manpreet Ghuman, Advocate,
for the appellant-juvenile in CRA-D-1414 of 2023.

Mr. Sandeep Gors, Advocate for the appellant-juvenile in
CRA-D-1235 of 2023.

Mr. Siddharth Attr, Assistant Advocate General, Punjab.

RAMESH KUMARI, J.

Both these appeals are disposed of this common order as the
common questions of law and facts are involved therein.

2. Both the above named appellants, who are juveniles as per record,
have filed these appeals for setting aside of the impugned orders dated
08.08.2023 and 01.09.2023 passed by the then learned Additional Sessions
Judge, Tarn Taran and for grant of regular bail in case FIR No. 187 dated
10.12.2022 under Sections 307/120-B/427/489/379/411/216 of the Indian

Penal Code; Section 3 of Explosive Substances Act, 1908 Sections 25(6)/25(7)/54/59 of the Arms Act and Section 16 of the Unlawful Activities (Prevention) Act, 1967 (Amendment-2012).

3. Learned counsel for the appellants have vehemently argued that while passing the impugned order, the learned trial Court did not take into consideration the tender age of the appellants and further the fact that their long detention in the Observation Home would serve no purpose. Still further, it is argued that the learned trial Court has declined the concession of regular bail to the appellants on the ground of mere apprehensions whereas six adult co-accused of this case have already been granted the concession of regular bail by learned trial Court. There is nothing on record against the appellants. False recoveries are implanted upon them.

4. On the other hand, learned State counsel while opposing the submissions made by learned counsel for the appellants-juveniles, has argued that the order passed by the trial Court is just and proper and has been passed keeping in view the interest of the appellants and the society. It is further argued that keeping in view the tender age of the appellants, there is every likelihood that if they are enlarged on regular bail, they will come into contact with anti-social elements which would ruin their future.

5. The FIR No. 187 dated 10.12.2022 for commission of offences under section 307 of IPC, 16 Unlawful Activities Prevention Act 1967 (Amendment 2012), Section 3 of The Explosive Substance Act 1908, section 16 Unlawful Activities Prevention Act 1967 (Amendment 2012) was registered at Police Station Sarhali, District Tarn Taran on the basis of the statement of ASI Bishan Lal, which is to the following effect:-

*“I was doing night duty at police station Sarhali being
MHC and HC Narinder Singh was deputed on guard*

duty. I was present in my office. At about 11:15 PM. HC Narinder Singh who was doing guard duty informed me that he had heard noise of some explosion at Suvidha Center of Police station. On receiving this information, I along with HC Narinder Singh reached there and found that smoke was coming out and I also found the smell of some explosive material. On further inspection of the Suvidha Center, the outer gate made of glass was found to be broken. When I entered the room, on the floor I found some object of the shape of projectile was lying and the strip of the iron of police station was also found to be in broken condition. When I came out on the road, then on the corner I found some object in the shape of plastic pipe. I am of firm belief that the said act of the blast has been committed by some anti-social elements.”

6. DSP Satnam Singh of Sub-division Patti conducted investigation and the spot was inspected and one rocket launcher and one RPG 26 shell were taken into possession near the place of occurrence. The District Magistrate had deputed Shri Rakesh Kumar Garg, Tehsildar to visit the spot. Bomb disposal unit was also summoned at the spot. The team of bomb disposal inspected the RPG and on 11.12.2022 RPG was disposed of. The shell of RPG 26 and part of it including parpalid was disposed. On 13.12.2022 offence under section 427, 120-B of IPC were also added.

7. During the course of investigation, Juvenile D.S. and P.S. @ R. were apprehended on 16.12.2022. Juvenile D.S. got recovered the 10 live cartridges of .32 bore and juvenile P.S. alias R got recovered one pistol make 32 bore with five live cartridges. Co-accused Ajmer Singh son of Major Singh suffered disclosure statement that attack on P.S. Sarhali with RPG was got done through both juveniles D.S. and P.S. alias R.

8. The learned trial Court vide orders dated 01.09.2023 and 08.08.2023 declined the concession of regular bail to juvenile D.S. and P.S. @ R respectively on the ground that juveniles alleged to have attacked the Sanjh Kendre, Sarhali with the help of Rocket Launcher which is a very deadly weapon and one RPG 26 shell was also recovered from the scene of crime. Juveniles had arms and ammunitions and other explosives which shocks the conscience of the society and in case released on bail, they would face the wrath of the community or of society on account of retribution. It is further observed that juveniles are in association of anti-social elements of society and if enlarged on bail they would come in contact with known criminals and will be exposed to moral, physical or psychological danger.

9. Learned State counsel conceded that accused Jobanpreet alias Joban, Gurpreet Singh @ Gopi Numberdar, Kuldeep Singh @ Landu, Gurlal Singh @ Galla, Gursewak Singh @ Khali, Surlal Pal Singh alias Gurlal Singh alias Lalhi, have been enlarged on regular bail by learned trial Court at Tarn Taran. The recovery from **accused Jobanpreet Singh alias Joban is one pistol 30 bore alongwith five live cartridges**, from **accused Gurpreet Singh is the recovery of one pistol 32 bore alongwith five live cartridges and P-86 Grenade**; recovery from **accused Gurlal Singh @ Gala is of 10 bullets of 32 bore** and **recovery from Surlal Pal Singh alias Gurlal Singh alias Lalhi is of 30 live cartridges of 30 bore**. Co-accused Harmanjeet Singh alias Harman alias Mintu and Gursewak Singh @ Khali and accused Arshdeep Singh alias Ashokdeep Singh alias Machi have also been given the benefit of regular bail vide order dated 16.02.2023 and 03.04.2023 respectively by learned Additional Sessions Judge, Tarn Taran. The alleged recovery from the possession of both the juveniles is of 10 live cartridges of .32 bore and one

pistol make 32 bore with five live cartridges respectively. The date of birth of juvenile P.S. @ R is 10.01.2006. The evidentiary value of the disclosure statement of co-accused Ajmer Singh son of Major Singh that attack on P.S. Sarhali with RPG was got done through both juveniles D.S. and P.S. alias R is yet to be determined. There is nothing on record that if both the juveniles released on regular bail, there is likelihood of their being used or in the company of anti-social elements. On the other hand, this Court finds that the long detention of the juveniles in the observation Home will adversely affect their academics as juvenile P.S. @ Rana is stated to be a student of Bachelor of Arts Semester-1 and he is to appear for Semester exams in December-2025. There is nothing on record to show that except the instant case, the appellants-juveniles are also involved in some other case.

10. In view of the above, both the appeals are allowed and the juveniles are ordered to be released on regular bail subject to furnishing bonds to the satisfaction of the concerned trial Court, Principal Judge, Juvenile Justice Board/Chief Judicial Magistrate/Duty Magistrate.

11. A copy of this order be placed in the connected file.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE

27.11.2025

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	√Yes/No