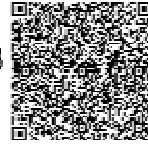
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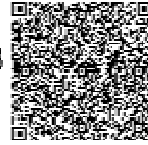
away, but were apprehended by the police party. On being enquired, they disclosed their names as Sharanjeet Singh son of Saroop Singh r/o Dera Baba Nanak and William Masih. Search of Sharanjeet Singh yielded one country made pistol along with 10 live cartridges. Personal search of William Masih yielded one country made pistol along with 10 live cartridges. Later on offences under Sections 17, 18 and 20 of Unlawful Activities (Prevention) Act (for short-**UAPA Act**) and Section 201 of IPC was added.

3. Vide Rapat at No.29 dated 04.11.2023, appellant-Shivkaran Singh @ Karan was nominated on the disclosure statement of co-accused.
4. The main contention of learned counsel for the appellant is that he has falsely been implicated in this case and was arrested while being in custody in another case. The recovery of country made pistol .9MM along with magazine and 6 live cartridges allegedly effected from him was effected in context of another case regarding which FIR No.113 dated 09.09.2023 under Sections 307, 148, 149 IPC and Section 25(A) of Arms Act, at Police Station Dera Baba Nanak, Gurdaspur was registered. He has since been released on bail in said case arising out of FIR No.113 vide order dated 26.02.2024 of learned Additional Sessions Judge. Nothing is recovered from the appellant/accused in this case. His alleged disclosure statement under Section 27 of Indian Evidence Act had not resulted in recovery of any incriminating substance. The statement of co-accused cannot be read against him and he vehemently prayed for release of appellant/accused on regular bail.

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5. Per contra, learned State counsel contended that accused Sehajpreet Singh @ Nirvair Singh @ Sunny was nominated in this case on the basis of statement of co-accused Sharanjit Singh and William Masih who were arrested on the spot and have been specifically named in the FIR. Accused Sehajpreet Singh @ Nirvair Singh @ Sunny was arrested at Delhi Airport on 25.10.2023 when he was trying to abscond from India. He, during questioning, disclosed that he and Amarjeet Singh @ Nikka @ Bhaiya son of Sukhdev Singh, Daler Singh son of Malkeet Singh, Gurpreet Singh son of Sewa Singh, Sharanjit Singh @ Sunny son of Saroop Singh, William Masih son of Kashmir Masih jointly indulged in illegal activities and they were to kill leaders of a particular community for which they had brought the pistol. Accused Sehajpreet Singh @ Nirvail Singh also disclosed that earlier also, he brought the pistol which he had kept concealed in the fields and got recovered one pistol .9 MM with magazine, one pistol .30 bore with magazine and one extra magazine along with two live cartridges.
6. Gurpreet Singh @ Gopi son of Sewa Singh, Daler Singh son of Malkit Singh, Amarjeet Singh @ Nikka son of Sukhdev Singh were nominated in this case vide DDR No.47 dated 27.10.2023, upon disclosure statement of Sehajpreet Singh recorded on 03.11.2023, Amarjeet Singh @ Nikka was arrested in this case. Amarjeet Singh @ Nikka in his statement dated 04.11.2023, disclosed about the involvement of appellant/accused regarding collection of arms, ammunition and fake currency notes from the border which were dropped through drones by Harinder Singh Rinda,

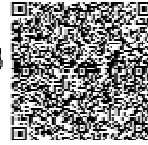
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chief of Babbar Khalsa International Organization Pakistan and that he used to distribute the same to the members of the gang for the purpose of carrying on the killings of leaders of particular community.

7. Appellant/accused was nominated vide DDR No.28 dated 04.11.2023 on the basis of disclosure statement made by Amarjeet Singh @ Nikka. Appellant/accused Shivkaran Singh@ Karan was already in custody in an other criminal case and was arrested in the present case on 07.11.2023.
8. After his arrest, the appellant/accused vide his statement dated 10.11.2023 admitted involvement in terrorists activities and his links with the leaders of banned terrorist organization (Babbar Khalsa International Organization) which is operating from Pakistan.
9. We have gone through the record with the able assistance of learned counsel for the appellant and learned State counsel.
10. Recovery of one pistol .9 MM, one magazine and 6 live cartridges were effected from the appellant/accused regarding which aforesaid FIR No.113 dated 09.09.2023 was registered against him. After being nominated in this case, his production warrant was obtained with the permission of the Court and he was arrested. Custody certificate dated 15.03.2026 filed by the respondent-State reveals that he is involved in following other criminal cases:

- i) FIR No. 11 dated 09.09.2023 under Section 307, 149, 148 IPC, 25 Arms Act, Police Station Dera Baba Nanak.

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- ii) FIR No.49 dated 19.08.2023 under Section 307, 302, 427, 148, 149 of IPC and Sections 25 & 27 of Arms Act at P.S. Kotli Surat Malhi.
- iii) FIR No.263 dated 01.09.2025 under Section 109, 115(2), 132, 190, 191(3), 221, 324(2) of BNS and Sections 42, 52A Prisons Act, P.S. Ilamabad.
- iv) FIR No.325 dated 17.12.2025 under Sections 109, 115(2), 121, 132, 190, 191(3), 221 BNS, 52A Prisons Act, P.S. Division No.7 (Vardhman).
11. The involvement of appellant/accused in two criminal cases i.e. arising out of FIR No.263 and FIR No.325, abovenoted, while in judicial custody *prima facie* reveals that he did not refrain from criminal activities while being in custody. In such a situation, in case, he is released on regular bail in this case, he is likely to indulge in similar activities and therefore, he is not entitled for benefit of regular bail. The appeal as such is dismissed.
12. Before parting with this order, we feel it is desirable to issue directions to the learned trial Court to take the following steps for expeditious conclusion of the trial:-

- (i) The trial Court shall frame a schedule of dates in advance for summoning the witnesses and shall also endeavour to record the statements of the PWs whose presence is duly secured. Special Messengers be deputed for securing the presence of the prosecution witnesses. If deemed necessary, a letter may



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be written to the Senior Superintendent of Police, concerned,
for getting the needful done for ensuring timely presence of
prosecution witnesses; and

(ii) The prosecution is directed to ensure the presence of all the
prosecution witnesses before the trial Court on the dates as
may be fixed by the trial Court for recording prosecution
evidence. The District Attorney concerned to take necessary
steps for the purpose of securing the presence of the
remaining prosecution witnesses.

13. Pending application(s), if any, is/are also dismissed.
14. Any observations made herein above while deciding this bail application
shall have no bearing on the merits of the case.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE

01.04.2026

Jyoti-M

Whether speaking/reasoned:	Yes/No.
Whether reportable :	Yes/No