

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-D-971-2025 (O&M)

JUDGMENT RESERVED ON	JUDGMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
20.05.2026	27.05.2026	FULL PRONOUNCED	28.05.2026

Sarabjit Singh @ Sabi...Appellant

Versus

State of Punjab...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Deepak Verma, Advocate, for the appellant.

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
139	27.10.2024	City-1, Mansa	308(4), 351, 61(2) of BNS and Sections 3, 5, 6 of Explosive Substance Act, 1908 and Sections 10, 16, 18, 23 of Unlawful Activities (Prevention) Act, 1967

Criminal Case number before the Sessions Court	CIS No. BA/410/2025 CNR No. PBMN010013092025
Date of Decision	18.04.2025

1. Aggrieved by the dismissal of regular bail by the Additional Sessions Judge, Mansa vide order dated 18.04.2025, the appellant had come before this Court by filing the present appeal, seeking bail in the FIR mentioned above.
2. Per the custody certificate dated 19.05.2026, the appellant has the following criminal antecedents: -

Sr. No.	FIR	Dated	Police Station	Sections
1.	37	23.05.2022	Balachaur	457, 380, 411 IPC

3. The facts are being taken from the translated copy of FIR (Annexure A-1) which reads as follows:

Copy, Statement of Khushwinder Singh S/o Sukhdarshan Singh S/o Sansar Singh resident of Dina Nath Tyra Wali Gali, Ward No.06, Mansa, aged about 50 years, Mobile No.98154XXXXX. It is stated that I am resident of abovestated address and is owner of Firm in the name of M/S Sidhu Petro Services and from our Firm, a JIO BP Company Petrol Pump is installed at Sirsa Road Mansa, near Dandiwal Resorts. Today on dated 27.10.2024 at about 01:37 AM, my worker Gurpreet Singh S/o Kala Singh resident of Alampur Mandran working at my Petrol Pump has informed me from Petrol Pump Mobile No.62393XXXXX on my Mobile No.98154XXXXX that outside the Petrol Pump near 'D' area a blast has happened in drain. On this I took information at about 08:00 AM from petrol pump employees after CCTV camera video footage perusal it was found in the video footage that at about 01:31 AM an explosion was found to have happened. Since explosion happened in drain, no personal or property damage has occurred. Thereafter, today afternoon at about 02:05 PM a whatsapp call from Mobile No. +44779XXXXX has come on my mobile No.98154XXXXX which I did not receive and then at about 02:09 threat messages have started coming in which the person who was massaging was asking for Rs.5 crore money while threatening and in case of non-payment of Rs.5 Crore money, a threat to kill me & my family was given. Till now, I have been inquiring on my own, but nothing was found. Therefore, a required legal action be taken against unknown person who has committed blast on our petrol pump & given life threats to me & my family, who tried to cause damage to our petrol pump.

4. State counsel filed its reply and referred to the relevant portion, which reads as under:

28. The role of the of the accused persons:- The investigation conducted, the confessions made by the accused, the seizures made in the case, the result reports obtained, analyzing the mobile data of the accused persons, the interrogation of the accused and the records obtained revealed that the accused Arshdeep Singh alias Arsh Dalla, who lives abroad, who has contacts with various persons living in India, is supplying/getting supplied arms and ammunition to different parts of the state through his sources and, under a calculated conspiracy, he is putting people at risk of loss of life and property, threatening, firing etc., creating a sense of fear in the society and spreading terror and creating chaos in the society. The accused Jatinder Singh alias Jindi named in the above said case, who lives in England (UK), is also involved in this crime. In the sequence, Arshdeep Singh alias Arsh

Dala conspired to commit the incident in the above case by communicating with Shimla Singh son of Baljit Singh, resident of Gharangna through social media (Zangi App/Signal App) and other means, who was arrested in the case. For which, accused Jatinder Singh alias Jindi, nominated in the case, who coordinated with accused Deepak Chauhan alias Deep son of Sardu Chauhan, resident of Bakapur (Shaheed Bhagat Singh) and involved him to commit the above said incidents by funding him through Western Union and other means from England (UK) and on which he had placed hand grenades near Attari Border, District Sri Amritsar Sahib through some unknown persons, which were picked on 05.10.2024 by accused Deepak Chauhan alias Deep along with accused Sarabjit Singh alias Sabi son of Satnam Singh, resident of Rakra Dhahan (Shaheed Bhagat Singh) in a black Alto car number CH04E-2058. Then on 23.10.2024, on the instructions of accused Arshdeep Singh alias Arsh Dalla from the location sent by him, accused Shimla Singh along with accused Davinder Singh alias Kukar son of Bhupinder Singh resident of Ramdittewala brought live hand grenades, which were placed by Deepak Chauhan alias Deep on the instructions of Jatinder Singh alias Jindi, near village Sunghda Garhshankar district Nawanshahr (Shaheed Bhagat Singh) and were monitored from a distance by Deepak Chauhan alias Deep. On which the accused Shimla Singh after obtaining the hand grenades, reached Ludhiana and put them in the kit bag, which has been recovered in the case and he stayed at Hotel Balraj near Bus Stand Ludhiana for a night. On 24.10.2024, the accused Shimla Singh and Davinder Singh alias Kukar returned to Mansa with the hand grenades obtained from Garhshankar. Then, on the instructions of Arshdeep Singh alias Arsh Dalla, accused Shimla Singh threw a hand grenade at JIO BP petrol pump at Ramdittewala Chowk, Mansa on 27.10.2024 at around 01:31 AM. Due to which there was a huge explosion at the petrol pump, but since the explosion was in the drain, no loss of life or property was caused. This Explosion was done by highly explosive material which has also come to light in the results of report of the samples which were taken from the Scene of Crime. After which on 27.10.2024 at around 2 pm, accused Shimla Singh along with accused Gagandeep Singh alias Gaggi son of Shingara Singh resident of Dullowal reached JIO BP petrol pump and sent the location of petrol pump, photos of the Scene of Crime and mobile number of petrol pump owner from Gagandeep Singh alias Gaggi's mobile phone to Arshdeep Singh alias Dalla and Gagandeep Singh alias Gaggi was talked to Arshdeep Singh alias Arsh Dalla, after which accused Arshdeep Singh alias

Dalla threatened the complainant on his mobile number 98154XXXXX from abroad by making WhatsApp calls and WhatsApp messages from mobile number +44779XXXXX.

29. Role of the Petitioner:- *That as per the investigation conducted and related record the accused/petitioner Sarabjit Singh alias Sabi is in contact with accused Deepak Chauhan alias Deep, arrested in the case. Accused Sarabjit Singh alias Sabi used to support accused Deepak Chauhan in his bad deeds in exchange for some money and used to go with him on the request of Deepak Chauhan. On 05.10.2024, accused Sarabjit Singh alias Sabi went with accused Deepak Chauhan alias Deep to procure hand grenades near Shri Amritsar Sahib, regarding which Sarabjit Singh alias Sabi was already aware and he knew about the procurement of the hand grenades.*

30. Evidence against the Petitioner:-

A. On 05.10.2024, accused Sarabjit Singh alias Sabi went with accused Deepak Chauhan alias Deep to procure hand grenades near Shri Amritsar Sahib.

B. Accused Deepak Chauhan alias Deep admitted through his disclosure statement made under Section 23(2) Bhartiya Sakshiya Adhiniyam that, "I was already acquainted with Jatinder Singh alias Jindi son of Jujhar Singh resident of Mohindpur, Police Station Balachaur, District Nawanshahr, who now lives in England. On receiving his call on 05-10-2024, I went to pick up the hand grenades from the location sent by him near Shri Amritsar Sahib. At that time, Sarabjit Singh alias Sabi, son of Satnam Singh, resident of Rakkra Dhahan, Tehsil Balachore, District Nawanshahr (Shaheed Bhagat Singh) had gone with me. After picking up the hand grenades, I and Sarabjit Singh alias Sabi had put the hand grenades in the same envelope and both of us had brought the hand grenades from there. The intention was to spread terror, create chaos and disturb the peace of the people by exploding in cities, markets and densely populated areas", which shows that Sarabjit Singh alias Sabi had gone to procure hand grenades with Deepak Chauhan.

C. The link between accused Sarabjit Singh alias Sabi and Deepak Chauhan alias Deep is proven from the Call Details Record regarding their mutual conversation on the phone. Apart from this, the mutual conversation of Sarabjit Singh alias Sabi on 05.10.2024 regarding going to procure hand grenades near Sri Amritsar Sahib is proven from the Call Details Record of

both of them on 05.10.2024 and their arrival at shri Amritsar sahib is proved by their tower location near Sri Amritsar Sahib.

31. FSL Reports:- *The result report of the samples taken from the scene of the crime in the case has been received at the police station, whose letter number is 6412-/ Forensic Science Laboratory/Punjab dated 31.12.2024 and result report number is 1355/2024/Ball/FSL/Exam dated 29.11.2024. The contents of the report is, "RESULT OF EXAMINATION, it has been concluded that, 1. Safety lever contained in parcel 'D' referred above is the part of arges type hand grenade, 2. On the basis of chemical tests performed and instrumental analysis (LC-MS), It has been concluded that the traces of pentaerythritol tetranitrate (PETN) had been detected in the exhibits contained in parcels''A', 'B', 'C'. 'D', 'E' and 'F' Referred above, 3. pentaerythritol tetranitrate (PETN) is a high explosive and on explosion it can cause damage to human life and property." which has been found to be High Explosive from the result report obtained from the hand grenade fired by the accused.*

The live hand grenade recovered from the accused Shimla Singh in the case which was defused on the orders of the Hon'ble Court, the defused parts of which were sent to Forensic Science Laboratory Mohali for examination, the result report of which has been received. The contents of the result report is "RESULT OF EXAMINATION. On the basis of careful scientific examination, it has been concluded that: 1. On the basis of chemical tests and chromatographic technique (Thin layer chromatography) performed, it has been concluded that material contained in parcel 'A' referred above is a composite of Trinitrotoluence (TNT) and Cyclonite (RDX). TNT and RDX are high explosive and on explosion, these can cause damage to human life and property. 2. On the basis of physical examination, it has been concluded that exhibits contained in parcels 'B','C', 'E', 'F' and 'G' referred above are parts of hand grenade. However, it had not been possible to ascertain the make and model of the hand grenade." I cause it examined SD/-(Dr. Sandeep Singh Sahota) Assistant Director (Ballistics) Forensic Science Laboratory Punjab, Phase-4 S.A.S Nagar, examined by SD/- (Dr. Navneet Kaur) Assistant Director (Ballistics) Forensic Science Laboratory Punjab, Phase-4 S.A.S Nagar Countersigned by: SD/- Director Forensic Science Laboratory Phase-4 Mohali. The sample taken was found to be high explosive from the chemical report."

5. We have heard counsel for the parties and gone through the record, including the reply and its analysis, which would lead to the following outcome.

6. There is sufficient prima facie evidence to link the present appellant with other accused and conspiring with them. It is not an ordinary offence but a case of ransom being pressed by detonating a hand grenade in a petrol pump. The message which the gangsters wanted to give was that if the bomb was thrown at the petrol pump then it could have lead the massive loss of life and property and under that pressure they wanted to extort Rs.5 crores from the victim. If these kinds of people are granted bail, then it would send a very negative message to the society about their safety and security. Thus, in the entirety of facts and circumstances, this Court is not inclined to grant bail to the appellant.

7. In UOI Rep. by Insp. of NIA v. Barakathullah, [2024] 5 S.C.R. 1011; 2024 INSC 452, May 22, 2024, the Hon'ble Supreme Court holds,

[2]. The Central Government in Ministry of Home Affairs, CTCR Division having received a credible information that the office bearers, members and cadres of Popular Front of India (PFI), an extremist Islamic organization have been spreading its extremist ideology across Tamil Nadu, by establishing State Headquarters at Purasaiwakkam, Chennai and also offices in various districts of Tamil Nadu and that through their frontal Organizations like Campus Front of India, National Women's Front, Social Democratic Party of India etc., they conspire for committing terrorist acts, raise funds for committing terrorist activities and recruit members for furthering their extremist ideology, and that the frontal organizations and PFI were involved in the recruitment of members to various prescribed terrorist organizations, passed an order on 16th September 2022, in exercise of the powers conferred under sub-section (5) of Section 6 read with Section 8 of the National Investigation Agency Act, 2008 (hereinafter referred to as the 'NIA Act'), directing the National Investigation Agency to take up investigation of the said case. In view of the said order, an FIR being RC-42/2022/NIA/DLI came to be registered on 19.09.2022 against the present respondents and other members and office bearers of PFI for the offences under Section 120(b), 153(A), 153(AA) of IPC and Section 13,17,18,18(B), 38 and 39 of the Unlawful Activities (Prevention) Act, 1957 (hereinafter referred to as the "UAPA").

[22]. In the instant case, we are satisfied from the chargesheet as also the other material/documents relied upon by the appellant that there are reasonable grounds for believing that the accusations against the respondents are prima facie true and that the mandate contained in the proviso to Section 43(D)(5) would be applicable for not releasing the respondents on bail. Having regard to the seriousness and gravity of the alleged offences, previous criminal history of the respondents as mentioned in the charge-sheet, the period of custody undergone by the respondents being hardly one and half years, the severity of punishment

prescribed for the alleged offences and prima facie material collected during the course of investigation, the impugned order passed by the High Court cannot be sustained. We are conscious of the legal position that we should be slow in interfering with the order when the bail has been granted by the High Court, however it is equally well settled that if such order of granting bail is found to be illegal and perverse, it must be set aside.

8. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
9. Considering the custody of 01 year 05 months and 16 days, the trial Court is requested not to adjourn the matter unnecessarily.
10. Petition dismissed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

27.05.2026
Jyoti-II

Whether speaking/reasoned	YES
Whether reportable	NO