

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-18294-2021 (O&M)
Date of Decision:- 08.12.2022

Akashdeep Singh@Sonu@Mahant ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Pooja Chopra, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Sukhpal.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No. 972, dated 23.12.2020, Police Station Karnal Sadar, District Karnal, under Sections 10, 13 of Unlawful Activities (Prevention) Act 1967, Sections 25, 54, 59 of Arms Act and Section 120-B IPC.
2. The FIR was lodged on the basis of secret information received by the police to the effect that Tej Parkash Singh and Akashdeep Singh will be bringing weapons from Uttar Pradesh and that the said persons were in touch with one Gurmeet Singh who is residing abroad and who is affiliated to one association by the name 'Sikhs for Justice' which is a banned organization. It is alleged that the said

organization has been sending funds from abroad for the purpose of illegal activities within the country and that Gurmeet Singh had been making available funds to Tej Parkash Singh and Akashdeep Singh for the purpose of murdering one Sudhir Puri, Gursharan Mand and other persons. Pursuant to receipt of said information the police was able to nab the aforesaid two persons namely Akashdeep and Tej Parkash on the same day itself. Tej Parkash was carrying a bag which was found to contain 2 pistols 12 bore and 2 bullets. The petitioner was found to be possessing 3 cartridges and a mobile phone.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that no weapon was ever recovered from him and the only allegation is that 3 cartridges had been recovered from him apart from a mobile phone.
4. Opposing the petition, learned State counsel has informed that during the course of investigation evidence had been collected to establish that co-accused Tej Parkash had received amount of about Rs.1.73 lacs from Gurmeet Singh through “Moneygram” and which would clearly establish the case of prosecution that the petitioner was part and parcel of the banned organization and he along with co-accused had been receiving funds from abroad through Gurmeet Singh. Learned State counsel has further informed that the petitioner happens to be involved in two other cases wherein allegations of snatching have been levelled against him. It has been informed that the petitioner as on date has been behind bars since the last about 2

years and that charges are yet to be framed and as many as 18 PWs have been cited.

5. This Court has considered the rival submissions.
6. The petitioner is indeed named in the FIR and there are specific allegations that he was found in possession of 3 cartridges when he was arrested by the police. Co-accused of the petitioner is stated to have received money from Gurmeet Singh from abroad, who is running an organization by the name of 'Sikhs for Justice' which is banned and has been funding the petitioner for the purpose of carrying on illegal activities including murders. However, this Court cannot lose sight of the fact that the petitioner has been behind bars for a substantial period of about 2 years and the trial has not even commenced and as many as 18 PWs have been cited. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

08.12.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No