IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-924-2025 (O&M)

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
24.02.2026	19.03.2026	FULL PRONOUNCED	19.03.2026

Satpal Singh ...Appellant

Versus

National Investigation Agency (NIA) …Respondent

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

Present: Mr. R.S. Rai, Sr. Advocate with
Mr. Anurag Arora, Advocate
Mr. Rehan Gupta, Advocate
Mr. Suksharan Sra, Advocate and
Mr. D.S. Gandhi, Advocate
for the appellant.

Mr. Sukhdeep Singh Sandhu, Special Public Prosecutor
for the respondent-NIA.

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ANOOP CHITKARA, J.

RC No.	Dated	Police Station	Section
03/2020/ NIA/DLI	22.01.2020	New Delhi	13 & 17 of Unlawful Activities (Prevention) Act 1967, Section 21 & 29 of NDPS Act, 120B IPC and Section 27-A of NDPS Act 1985 added vide first supplementary Charge-sheet filed by the NIA

Bail Application number before the Sessions Court	CIS No.BA/1516/2025 CNR No.PBSA01004110-2025
Date of Decision	02.06.2025

1. Aggrieved by the dismissal of regular bail by the Special Judge, NIA, vide order dated 02.06.2025, the appellant had come up before this Court by filing the present appeal under Section 21(4) of the National Investigation Agency Act, 2008.

2. In paragraph 31 of the appeal, the accused declares that he has no criminal antecedents.

3. The appellant's counsel submits that the appellant would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the appellant repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and to which the appellant shall have no objection. Counsel for the appellant further submits that he shall not use his right of speech and expression beyond what is permitted under Article 19 of the Constitution of India. Counsel for the appellant further submits that there are 92 witnesses and out of whom, only 24 have been examined and it is likely to take massive time and appellant's further custody is not justiciable.

4. The State's counsel opposes the bail.

5. Facts of the case are being taken from the reply dated August 26, 2025, filed in ***CRA-D-909-2025*** by the Special Public Prosecutor of the National Investigative Agency in the present appeal and it shall be relevant to extract the following portions of the reply:

> *"That, on 31-05-2019, a case was registered at Tarsikka Police Station, Amritsar (Rural) vide crime No. 75 dated 31-05-2019 u/s Sections 21 and 27 of NDPS Act. That, accused A-1 Jajbir Singh Samra, A-2 Harpreet Singh and A-3 Varinder Singh were arrested on 31-05-2019 for carrying 500 grams of Heroin illegally and Rs. 1,20,000/- drug-money and charge-sheet was filed before the Hon'ble Court of Sh. Ranjeev Pal Singh Cheema, SDJM, Baba Bakala Sahib, Amritsar on 09-09-2019.*
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> *2. That, on 02-06-2019, a case FIR No. 90 dated 02-06-2019 u/s Sections 4 & 5 of Explosive Substances act at PS Raja Sansi, Amritsar (Rural), in the said crime due to recovery of two (02) hand grenades and one (01) mobile phone from the possession of two (02) unknown persons who fled away from the spot of interception on their M/cycle which was without registration number.*
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> *3. That, during the investigation of FIR No. 75 dated 31-05-2019 PS Tarsikka, A-1 Jajbir Singh Samra and A-3 Varinder Singh suffered a disclosure statement that on the directions of A-10 Harmeet Singh @ PhD, who is Chief of Pakistan based banned terrorist outfit Khalistan Liberation Force [KLF], they had received two (02) hand grenades and thereafter had buried them at the place told by A-10 Harmeet Singh @ PhD. which have already been recovered by the Punjab Police in the case FIR No. 90 dated 02-06-2019 u/s Sections 4 & 5 of Explosive Substances act at PS Raja Sansi, Amritsar (Rural). The two (02) seized hand grenades in FIR No. 90 were disposed off by Bomb Disposal Squad, PAP, Jalandhar (Punjab) and the extracted material of the hand grenades was forwarded to FSL, Mohali for forensic examination/expert opinion. The experts opined that the hand grenades were manufactured by Pakistan Armed Forces, and the yellow-coloured substance used in these grenades is PETN (Pentaerythritol*

Tetranitrate) which is high explosive. Even the soil samples taken from the location disclosed by A-1 Jajbir Singh Samra & A-3 Varinder Singh have matched with the mud in the bag containing the hand bag as per forensic report.

4. That, the investigation of the case was further transferred to State Special Operation Cell, Amritsar and subsequently three more accused namely A-4 Nirmal Singh @ Neeldhari, A-5 Satpal Singh, and A-6 Hiralal were arrested on 02-12-2019, 05-12-2019 and 09-12-2019 respectively. And during their interrogation, name of the accused appellant A-7 Harjit Singh @ Bagga had emerged as an associate of the accused persons. That, during investigation, sections 13 and 17 of Unlawful Activities (Prevention) Act, 1967 were subsequently added on 08-01-2020, by State Special Operations Cell (SSOC), Amritsar in the instant case.

5. That, intimation regarding these cases FIR No. 75 dated 31-05-2019 PS Tarsikka Amritsar (Rural) and FIR No. 90 dated 02-06-2019 PS Raja Sansi Amritsar (Rural) in which the Punjab Police had added UA(P) Act was received by the Union. Since UA(P) Act is a scheduled offence under NIA Act and seeing the gravity of the offence which had national and international ramifications it was decided by the Union that these cases warrant investigation by NIA.

Pursuant to the directions of Government of India, Ministry of Home Affairs issued vide its Order F.No.11011/09/2020/NIA dated 20th January 2020 took over the investigation of case FIR No. 75 dated 31-05-2019 PS Tarsikka by re-registering the original case as RC-03/2020/NIA/DLI under sections 13 and 17 of Unlawful Activities (Prevention) Act, 1967 and 21 and 29 of NDPS Act on 22-01-2020.

AND

In compliance of Order No. 11011/39/2020/NIA dated 20-02-2020, the National Investigation Agency also took over the investigation of case FIR No. 90 dated 02-06-2019 PS Raja Sansi Amritsar (Rural) by re-registering 07/2020/NIA/DLI dated 22-02-2020 u/s 4, 5 Explosive Substance Act, Section 17, 18, 18B and 20 of UA(P) Act r/w section 120B IPC."

6. Earlier, this Court dismissed the appeal against the order of the trial court, whereby the bail of the accused was rejected, vide order dated 23.02.2024 passed in CRA-D-362-2021. Later on, the appellant had approached the Hon'ble Supreme Court, which issued an order dated 25.04.2024, in SLP number 5387 of 2024, and dismissed the same. However, liberty was given that if the trial is prolonged, then it shall be permissible for the petitioner (Appellant) to file a fresh application, and the impugned judgment shall not stand in the way. After that, the trial did not conclude, and the appellant filed an application for bail, which was rejected by the impugned order dated 02.06.2025. Feeling aggrieved, the appellant has come before this Court for the second time, primarily on the ground of custody.

7. It shall be relevant to refer to some portion of the reply dated 26.08.2025 filed in this case, which reads as follows:

> *"9. That, Investigation has established that A-10 Harmeet Singh @PhD and A-9 Jasmeet Singh had hatched a criminal conspiracy to run a Narco terror module, communicating with each other and other associates A-1 Jajbir Singh Samra, A-3 Varinder Singh, A-4 Nirmal Singh, appellant A-5 Satpal Singh, A-7 Harjeet Singh @Bagga, Parminder Pal Singh @Bobby, and others through secured means like WhatsApp calls, VOIP calls etc. Investigation established that A-10 Harmeet Singh @ Ph.D. had sent Heroin in India through a network of drug traffickers that was sold by arrested accused A-1 Jajbir Singh Samra through the entire network, established by him and proceeds/value of Heroin was channelized through various Hawala Operators, associates of A-9 Jasmeet Singh Hakimzada, located in Amritsar, Delhi and Dubai.*
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> *10. Investigation has established that A-4 Nirmal Singh used to collect proceeds of drugs from accused A-1 Jajbir Singh Samra and accused A-3 Varinder Singh and further used to hand over the collected drug proceeds to appellant accused A-5 Satpal Singh and subsequently it was being channelized through accused A-7 Harjeet Singh@ Bagga, accused A-14 Parminder Pal Singh @ Bobby, both working for accused A-9 Jasmeet Singh Hakimzada and other associates. Investigation has revealed that between January-2019 to March-2019, accused A-4 Nirmal Singh came many times to the shop of appellant accused A-5 Satpal and had handed over Rs. 25 lakh, Rs.7 lakh and Rs. 20 Lakh to appellant accused A-5 Satpal on three occasions. Cash was counted by the employees of appellant accused A-5 Satpal and these proceeds of drugs were further sent to A-4 Harjeet Singh Bapða c/o Majha Finance, with instructions to transfer the money to associates of A-9 Jasmeet Singh Hakimzada. It is established that accused A-5 Satpal Singh has knowingly remained associated with accused A-4 Nirmal Singh and accused A-9 Jasmeet Singh Hakmzada and had collected drug money from accused A-4 Nirmal Singh, as part of criminal conspiracy. He had further channelized the proceeds of drugs to A-9 Jasmeet Singh Hakimzada through his associates. He had knowingly financed illicit trafficking of heroin and hatched a criminal conspiracy to channelize the proceeds of drugs with the close association of other accused persons.*
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> *11. During investigation it is established that A-5 Satpal Singh S/o Tarlok*

Singh, remained associated with accused A-4 Nirmal Singh @ Neeldhari and accused A-9 Jasmeet Singh Hakimzada and had received proceeds of drugs collected by accused A-4 Nirmal Singh from accused A-1 Jasbir Singh and A-3 Varinder Singh as part of the criminal conspiracy, and had knowingly financed illicit trafficking of heroin and hatched a criminal conspiracy to channelize the proceeds of drug on the directions of accused A-9 Jasmeet Singh Hakimzada, and with the close association of accused A-6 Hiralal, A-7 Harjit Singh Bagga, and A-14 Parminder Pal Singh @ Bobby.

12. That, during investigation, it established that accused appellant Satpal Singh (A-5) had a licensed shop of foreign money exchange in the name of Chahat Selection. Subsequently, behind the veil of foreign exchange license, he started dealing in Hawala transactions for making easy money. That, the investigation further established that A-4 Nirmal Singh @ Neeldhari visited A-5 Satpal Singh's shop many times and handed over Rs. 25 Lakh, Rs. 7 lakh and Rs. 20 Lakh to Satpal Singh on three occasions i.e. proceeds of drugs, on different dates to the accused appellant A-5 Satpal Singh. These proceeds of drugs were further sent to accused A-7 Harjit Singh Bagga and then the received proceeds of drugs were further channelized to A-9 Jasmeet Singh Hakimzada.

13. That, investigation has further established that accused appellant A-5 Satpal Singh had held the drug money collected by A-4 Nirmal Singh @Neeldhari from co-accused A-1 Jajbir Singh Samra and A-3 Varinder Singh. It was within his knowledge that the money he is receiving is proceeds of drugs, had knowingly financed illicit trafficking of Heroin by hatching a criminal conspiracy to channelize the proceeds of drugs with the close association of A-6 Hiralal, A-7 Harjit Singh @ Bagga and Parminder A-14 Pal Singh @ Bobby and by doing so, accused appellant A-5 Satpal Singh had facilitated A-9 Jasmeet Singh Hakimzada by arranging/raising funds.

14. That, by virtue of the CDR analysis of accused appellant A-5 Satpal Singh and co-accused A-7 Harjit Singh @ Bagga and A-6 Hiralal, Dubai based international number +9715526xxxxx, which was being used by A-14 Parminder Pal Singh @ Bobby, a close associate of A-9 Jasmeet Singh Hakimzada, emerged as a common number among accused appellant A-5 Satpal Singh, A-6 Hira Lal and A-7 Harjit Singh @ Bagga and it clearly shows the nexus/criminal conspiracy hatched among all accused persons, *who, as per directions of A-9 Jasmeet Singh Hakimzada were involved in channelizing the drug money through Hawala to Dubai. There is ample evidence on record in the form of statement of witnesses, statements of protected witnesses supported by other evidence which gives a detailed account of how accused appellant A-5 Satpal Singh has committed the offences he is accused of.*

15. That, the Charge-sheet in the instant case was filed vide which more than sufficient evidence against the accused appellant A-5 and other accused was placed on record to prove his guilt and to unearth the larger conspiracy of international funding to further the terrorist activities of banned terrorist organization KLF. Based on the evidence collected during investigation, NIA further submitted the first, second and third supplementary chargesheets on 29-05-2020, 04-12-2020 and 08-04-2021 respectively. The NIA Special Court Mohali after taking into consideration the evidence collected during investigation, the serious nature of the offence committed by the charge sheeted accused has come to the conclusion that a prima facie case is made out against all the charge sheeted accused including the accused appellant A-5, hence charges have been framed against all the charge sheeted accused, including the accused appellant A-5 Satpal Singh under Sections 120 B IPC, section 27A & 29 NDPS Act 1985 vide NIA Spl. court order dated 14-01-2021 ANNNEXURE R-12 and trial of the case is going on."

8. The allegations against the appellant are of dealing in hawala, that is, taking money from the associates of persons who were involved in anti-national as well as anti-India activities and passing it on to the other associates. He had also relations with the persons who were the member of banned organization KLF.

9. **As per the custody certificate dated 22.02.2026. the custody of the appellant in this case is 05 years 11 months & 18 days.**

10. 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.

11. Given the role of the petitioner and period of custody, this Court is of the view that he is not entitled for grant of bail at this stage, as such, appeal is **dismissed** and order passed by the Special Court is upheld. However, liberty reserved to the appellant to file a fresh petition for bail before the trial Court, if the trial is not concluded within reasonable time. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

19.03.2026
Anju rani

Whether speaking/reasoned	YES
Whether reportable	**NO**