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CRA-D-102-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101+202

CRA-D-1127-2024
Date of Decision :19.01.2026

Tarlok Singh

...Appellant

Versus

State of Punjab

....Respondent

CRA-D-102-2025

Balwant Singh @ Bant

...Appellant

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Mitul Singh Rana, Advocate for the appellant(s).

Mr. Rahul Rampal, Addl. A.G. Punjab.

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Harsimran Singh Sethi, J. (Oral)

1. Present appeals have been filed by the appellant(s) namely, Tarlok Singh and Balwant Singh @ Bant under Section 21 of the National Investigation Act, 2008 for the grant of benefit of regular bail & the appellant(s) assails order dated 19.04.2024 and 23.12.2024 passed by learned Judge, Special Court, Ludhiana respectively whereby their application seeking benefit of regular bail in FIR No.181 dated 01.11.2021 registered under

Sections 212, 216 of IPC and Sections 18 & 19 of the Unlawful Activities



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(Prevention) Act (Sections 3,4 of the Explosive Substances Act added later on) at Police Station Sidhwan Bet, District Ludhiana has been dismissed.

2. Learned counsel for the appellant(s) submits that the appellant namely, Tarlok Singh is behind the bars for the approximately past 2 years and appellant namely, Balwant Singh @ Bant is behind the bars for the last 02 years & 08 months and they have only been roped into the FIR on the basis of the disclosure statement of one of the co-accused which statement was only with regard to harbouring of other accused by the appellants herein, which accused was involved in another FIR.

3. Learned counsel for the appellant(s) further submits that till now nothing incriminating has been recovered from the appellants(s) so as to fortify their arrest and the disclosure statement of the other accused which has been made the basis of involving them in the present FIR mentioned herein before, is also yet to be proved during the course of trial and therefore, the appellant(s) should be granted the benefit of regular bail.

4. Learned counsel appearing for the respondent-State submits that though, the appellant(s) were involved only on the basis of the disclosure statement of the accused to the effect that they were harbouring accused in another FIR, which involved commission of heinous crime. Learned State counsel further submits that keeping in view the fact that from another accused Jaswant Singh the recovery of explosive substance was effected, who was also roped on the basis of the disclosure statement of another accused, the grant of benefit of regular bail to the appellant(s) as being prayed by them before this Court may kindly be declined.

5. We have heard learned counsel for the parties and have gone through the record with their able assistance.



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6. The facts are much less conceded by the parties that the only allegation against the appellant(s) in the present case is that they are alleged to have harboured another accused in another FIR, which accused was involved in heinous crime. It is also conceded position that no incriminating material has been recovered from the appellant(s) and the appellant(s) namely, Tarlok Singh has been behind the bars for the last approximately 02 years and more than 02 years in case of appellant-Balwant Singh @ Bant.

7. Further, the appellant(s) have been involved on the basis of the disclosure statement of another co-accused which disclosure statement is yet to be proved during the course of trial coupled with the fact that for the last two years of the custody, the trial is at a stage where only three witnesses, out of the total 21, have only been examined which fact clearly shows that the trial is likely to take some time before it concludes coupled with the fact that learned State counsel has not brought on record that appellants are involved in other criminal cases.

8. Keeping in view the totality of the facts and circumstances of the present case as noticed hereinbefore coupled with the fact that the trial is likely to take some time before it concludes and the appellant(s) are behind the bars from the last 02 years, the appellant(s) are held entitled for the grant of benefit of regular bail especially when, no cogent reason for denying the said benefit has been brought into the notice of this Court. Hence, it is directed that the appellants(s) namely, Tarlok Singh and Balwant Singh @ Bant be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned. The impugned orders dated 19.04.2024 & 23.12.2024 passed by the learned Judge, Special Court, Ludhiana are set aside.

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9. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

January 19, 2026
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Whether speaking/reasoned : Yes
Whether reportable : No