



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRA-D-1222-2024 (O&M)
Reserved on : 25.03.2026
Pronounced on: 21.05.2026
Uploaded on : 21.05.2026

*Whether only operative part of the judgment is
pronounced or the full Judgment is pronounced:* **Full Judgment**

SHAMSHER SINGH @ SHERA

... APPELLANT

Versus**STATE OF HARYANA**

... RESPONDENT

**CORAM:- HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present:- Mr. A.D.S. Jattan, Advocate (arguing counsel)
Mr. Mandeep Singh Gill, Advocate for the appellant.

Mr. Neeraj Gupta, Additional A.G. Haryana.

SANJIV BERRY, J.**CRM-35702-2024 in CRA-D-1222-2024**

1. Heard on the application for condonation of delay.
2. Keeping in view the facts and circumstances as mentioned in the application, delay of 372 days in filing of the instant appeal is allowed for the time being, subject to the final decision to be taken by the Apex Court in case Writ Petition (Crl.) No.114 of 2024, titled as *Sushila Devi & Anr. vs. Union of India through NIA & Ors.*, wherein the question as to whether the limitation prescribed under Section 45(2) of the Unlawful Activities (Prevention) Act, 1967 is mandatory or not.

**Main case**

1. By way of instant appeal, appellant Shamsheer Singh @ Shera has challenged the order dated 19.07.2023 passed by Ld. Additional Sessions Judge, Kurukshetra whereby regular bail application in FIR No.739 dated 04.08.2022, under Sections 13, 18, 20 of Unlawful Activity (Prevention) Act, 1967 (in short UAPA) Sections 4,5 of Explosives Substance Act, 1908 registered at Police Station, Shahabad, District Kurukshetra, has been dismissed.

2. Heard.

3. It is *inter alia* contended by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case and he is in custody since 05.08.2022. He contends that the trial is going on at snails pace and it will take sufficient time for conclusion of trial, as such the appellant is unnecessarily lingering in custody, hence prayed for grant of bail by acceptance of appeal.

4. Per contra, learned counsel for the State has opposed grant of bail to the petitioner by arguing that the appellant had been a member of terrorist outfit indulging in terrorist activities and had placed tiffin bomb containing IED device on the link road near Mirchi Hotel on Ambala-Kurukshetra highway and upon recovery it was found to be containing 1kg 300 gram explosives of RDX, hence he prayed for dismissal of the appeal.

5 After considering the rival contentions and perusing the record, it transpires that on the basis of secret information the instant FIR was registered and the appellant was apprehended by the police party and during his interrogation, he disclosed that one tiffin box with IED device was planted by him on highway between Ambala and Kurukshetra near Mirchi Hotel wrapped in



a brown colour bag in connivacne with his accomplice Arsh Bhat, Robin Singh @ Mahta and Nachhatar in the month of June, 2022. He led the police party to the disclosed place and got recovered the same, which was found to be containing 1kg 300 grams of RDX along with detonator, switch, battery which was taken into police possession. After completion of investigation challan was presented in Court and the trial is going on.

6. The appellatant was arrested in the case on 05.08.2022 and the challan was presented in Court on 27.12.2022. Later on, on receipt of sanction of the competent authority under UAPA, the case was fixed for framing of charges before the learned trial Court.

7. The appellatant is also involved in another case FIR No. 142/2022, Police Station Sirhali, District Tarn Taran for the offences under Explosives Act, NDPS, Act and UAPA, therefore, considering the nature and gravity of offence and also the fact that huge recovery of explosives i.e 1kg 300 grams of RDX along with detonator, switch and baterry has been recovered at the instance of the appellatant, we are of the considered opinion tha the appellatant does not deserve any linency at this stage.

8. In view of the above, finding no merit in the appeal, the instant appeal is hereby dismissed.

9. Pending application(s) if any, stands disposed of.

(SANJIV BERRY)
JUDGE

(SHEEL NAGU)
CHIEF JUSTICE

Dated: 21.05.2026

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No
Yes/No