



CRA-D-1200-2024 (O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRA-D-1200-2024 (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 PUNJAB****... 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. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

SANJIV BERRY, J.

1. By way of instant appeal, appellant Shamsher Singh @ Shera has challenged the order dated 25.04.2024 passed by Ld. Additional Sessions Judge, Tarn Taran whereby regular bail application in FIR No.0142 dated 07.09.2022, under Sections 389 IPC, Section 25(6), 25(7)(i) of Arms Act, Section 4-5 of Explosives Substance Act, Sections 21, 29, 61, 85 NDPS Act (subsequently added offences under Section 120-B & 387 IPC, 13,16,17, 18, 18-B, 20 of Unlawful Activity (Prevention) Act, 1967 (in short UAPA) whereas offences under Section 389 IPC, Section 21, 29 NDPS deleted vide Rapat No.15 dated



03.12.2022 and further added Section 489 IPC vide Rapat dated 22.02.2023, registered at Police Station, Sirhali, District Tarn Taran, 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 07.09.2022. 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 is involved in another case 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, wherein he 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 to the fact that Lakhbir Singh @ Landa, Harwinder Singh @ Rinda who are in Pakistan are running terrorist activities and illegal racket of smuggling heroin, explosives and hand grenades and also running extortion racket whereby they have been calling from virtual mobile numbers to their contacts demanding extortion money and also directing persons named in the FIR to execute their



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plan in threatening such contacts. The petitioner has been named as one of their gang member and was arrested in this case on 22.11.2022 on the basis of production warrant and after completion of investigation, challan was presented against him before the trial Court and the charges are yet to be framed. It transpires from the custody certificate produced by learned counsel for the State that the appellant is also facing another trial of similar nature in case 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, wherein on the basis of his disclosure statement, recovery of 1kg.300 grams of RDX alongwith detonator, battery and switch were effected from the petitioner.

6. Therefore, it transpires from the above that the appellant is facing another trial in the case registered under UAPA as well as Explosive Act wherein huge quantity of explosive i.e. 1. kg 300 gram of RDX alongwith detonator, battery and switch were recovered from him. Thus, considering the antecedents of the appellant coupled with the heinous nature and gravity of offence we do not find any case is made out in favour of the appellant for grant of bail at this stage.

7. As a consequent to the above discussion the instant appeal is hereby dismissed.

8. 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