



**CRM-42384-2024 in/and
CRA-D-1451-2024 (O&M)**

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

**CRM-42384-2024 in/and
CRA-D-1451-2024 (O&M)
Reserved on: 21.04.2026
Pronounced on : 04.05.2026**

**RAMANDEEP SINGH ALIAS
JATHU ALIAS JAKHU** **...APPELLANT**
VERSUS
STATE OF PUNJAB **...RESPONDENT**

**CORAM: HON’BLE MR. JUSTICE GURVINDER SINGH GILL
HON’BLE MRS. JUSTICE RAMESH KUMARI**

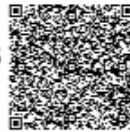
Present: Ms. Renu Arora, Advocate for the applicant/appellant.

Mr. Siddharth Attri, AAG, Punjab.

JUSTICE RAMESH KUMARI, J.

CRM-42384-2024 in CRA-D-1451-2024

1. Aggrieved by dismissal of the application for grant of regular bail vide order dated 09.02.2023 in case arising out of FIR No. 241 dated 08.11.2021, registered under Sections 307, 427, 212 & 120-B of IPC; Sections 3, 4, 5 of Explosive Substances Act, 1908 and 13, 16, 17, 18, 18-B and 20 of Unlawful Activity (Prevention) Act, at Police Station City SBS Nagar, appeal in hand has been filed alongwith an application for condonation of delay of 583 days in filing the appeal.
2. The reason for delay in filing the application is stated to be that applicant/appellant due to lack of financial resources, could not engage a counsel and also that he was not aware of the period of limitation for filing the appeal.



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under Section 5 of the Limitation Act for condonation of delay in filing the present appeal, seeking to challenge an order in a case registered under Unlawful Activities (Prevention) Act (for short, 'UAPA'), is maintainable and whether in view of specific provisions of Section 21 of NIA Act, 2008, such delay of 583 days can be condoned.

4. Section 21 of NIA Act provides for filing appeal against any judgment, sentence or order, not being an interlocutory order, of Special Court or High Court both on fact and law. Meaning thereby, the right to appeal in case under UAPA is not inherent right but is statutorily governed.
5. Section 21 (5) of NIA Act, 2008 prescribes a period of limitation for filing appeals, which reads as under:-

21. Appeals xxx xxx xxx xxx

(5) Every appeal under this section shall be preferred within a period of thirty days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days.

Provided further that no appeal shall be entertained after the expiry of period of ninety days.

6. This section in unambiguous terms stipulates that no appeal shall be entertained by the High Court after the expiry of period of 90 days. We are of the opinion that when a specific statute is enacted with a specific purpose and specific period of limitation in filing the appeal is incorporated in the said Act alongwith a specific bar for entertaining appeals filed beyond period of 90 days, the provisions of limitation Act cannot be incorporated in the said



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statute.

- 7. Finding no merit in the application, the same is dismissed and consequently, the appeal is dismissed being time-barred.
- 8. In any case, dehors the said bar, it shall always be open to the appellant to file a fresh application before trial Court seeking grant of regular bail. In case any such application is filed, the trial Court shall proceed to dispose off the same expeditiously, without being influenced by this order.

**[GURVINDER SINGH GILL]
JUDGE**

**[RAMESH KUMARI]
JUDGE**

04.05.2026

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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No