



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

CRA-D-1417-2023 (O&M)
Date of Decision:05.03.2026

SAJAN KUMAR @ SAJAN

....APPELLANT(S)

VERSUS

STATE OF PUNJAB

....RESPONDENT(S)

CRA-D-111-2025 (O&M)
Date of Decision:05.03.2026

SUNIL MASIH @ SAM

....APPELLANT(S)

VERSUS

STATE OF PUNJAB

....RESPONDENT(S)

CRM-M-11573-2023 (O&M)
Date of Decision:05.03.2026

KIRPAL SINGH @ KIRPALA

....PETITIONER(S)

VERSUS

STATE OF PUNJAB

....RESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. K. S. Dhillon, Advocate
for the appellant in CRA-D-1417-2023.

Mr. Krishan Kumar Thakur, Advocate with
Mr. Paras Khindri, Advocate
for the appellant in CRA-D-111-2025.

Mr. Ashish Soi, Advocate
for the petitioner in CRM-M-11573-2023.

Ms. Samdisha Kaur, AAG, Punjab.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Since the controversy involved in these cases is identical,
they are being dealt with jointly by this common judgment.

2. All the appellants/petitioner are implicated in case bearing

FIR No.39 dated 22.03.2021, under Sections 115 and 120-B of the IPC, Section 25 of the Arms Act, 1959, and Sections 17, 18, 18-B, and 20 of the Unlawful Activities (Prevention) Act, 1967, registered at Police Station Mehtiana, District Hoshiarpur.

3. CRA-D-1417-2023 has been filed on behalf of the appellant, Sajan Kumar @ Sajan, seeking setting aside of the order dated 31.08.2023 passed by the learned Additional Sessions Judge, Hoshiarpur, and seeking grant of regular bail in the aforesaid FIR.

4. CRA-D-111-2025 has been filed on behalf of the appellant, Sunil Masih @ Sam, seeking setting aside of the order dated 07.05.2021 passed by the learned Additional Sessions Judge, Hoshiarpur, and seeking grant of regular bail in the aforesaid FIR.

5. CRM-M-11573-2023 has been filed on behalf of the petitioner, Kirpal Singh @ Kirpala, under Section 439 of the Cr.P.C. for grant of regular bail in the above-mentioned FIR.

6. Learned counsel for the appellants/petitioner submit that all the accused persons have been falsely implicated in the present case and are languishing in jail for the last nearly five years. It is submitted that neither any recovery has been made from the appellants/petitioner nor is there any cogent evidence placed on record to indicate their involvement in the case. It is further submitted that the prosecution evidence has been concluded and many of the co-accused implicated along with the appellants/petitioner have already been enlarged on bail.

7. *Per contra*, learned State counsel opposes the case of the

appellants/petitioner on the ground that all the three appellants/petitioner have a long criminal history. So far as accused Sajan Kumar @ Sajan is concerned, he has a criminal history of six cases and, after his arrest, a country-made pistol with six live cartridges and a motorcycle were recovered. So far as accused Kirpal Singh @ Kirpala is concerned, he has a criminal history of 45 cases. In respect of accused Sunil Masih @ Sam, he has a criminal history of four cases. It is also pointed out that the prosecution evidence had been concluded way back in August 2025, and it is only on account of delaying tactics adopted by the accused persons that the trial has been kept pending. Therefore, grant of bail to the accused persons, at this stage, would amount to putting a premium on the dilatory tactics adopted by them.

8. Heard the learned counsel for the respective parties and have perused the materials appended with the instant case(s).

9. From the respective submissions advanced at the bar, it remains undisputed that the prosecution evidence was concluded during the course of trial way back in August 2025. The trial is being deferred only for production of defence evidence. It is also undisputed that the three accused before us have a long criminal history. The appellants/petitioner are not entitled to parity in the matter of grant of bail with Hardial Singh since he has no criminal history. Similar is the case of Dr. Rajinder Singh. The only other person with whom parity is claimed, *i.e.*, Baljit Kumar @ Baljit Singh @ Rinku, was granted bail on 09.02.2023 after noting that 31 prosecution witnesses were to be

examined and only three had been examined by then.

10. Considering the fact that all the prosecution witnesses have been examined and the allegation relates to commission of offences under Sections 115 and 120-B of the IPC, Section 25 of the Arms Act, 1959, and Sections 17, 18, 18-B, and 20 of the Unlawful Activities (Prevention) Act, 1967, we are not inclined to enlarge any of the appellants/petitioner on bail, particularly when the trial itself is at such an advanced stage.

11. We are of the view that the ends of justice would be adequately served if a request is conveyed to the concerned trial Court(s) to expedite the trial by fixing weekly dates in the matter(s). No unnecessary adjournments shall be granted to either of the parties and the trial Court shall endeavour to conclude the trial at the earliest possible.

12. Subject to the observations aforesaid, the instant appeal(s) as well as the petition are ***dismissed***.

13. All pending miscellaneous application(s), if any, also stand disposed of.

14. A photocopy of this order be placed on the files of the other connected cases.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MARCH 05, 2026
Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No