



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

Date of Decision: 30.01.2026

1. CRA-D-1506-2024 (O&M)

HARPREET SINGH @ HIRA

... APPELLANT

Versus

STATE OF PUNJAB

... RESPONDENT

2. CRA-D-1510-2024 (O&M)

VEEJA SINGH @ VIJA SINGH @ VIJAY

... APPELLANT

Versus

STATE OF PUNJAB

... RESPONDENT

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

Present:- Mr. Balbir Kumar Saini, Advocate, for the appellants.
(Arguing Counsel in both appeals)

Mr. Salil Sabhlok, Sr. DAG, Punjab.

SANJIV BERRY, J.

CRM-43727-2024 in CRA-D-1506-2024

In view of reasons mentioned in the application, delay of 215 days
in filing of the appeal (CRA-D-1506-2024) is condoned.

Accordingly, CRM-43727-2024 is allowed.

CRM-43745-2024 in CRA-D-1510-2024

In view of reasons mentioned in the application, delay of 57 days in
filing of the appeal (CRA-D-1510-2024) is condoned.



Accordingly, CRM-43745-2024 is allowed.

CRA-D-1506-2024 (O&M) and CRA-D-1510-2024 (O&M)

1. Both the aforesaid appeals arising out of the same FIR have been taken up together for disposal.
2. The instant appeals have been preferred by the appellant against the impugned orders dated 26.02.2024 and 02.08.2024 passed by the Additional Sessions Judge, Moga dismissing the regular bail applications filed by Harpreet Singh @ Hira and Veeja Singh @ Vija Singh @ Vijay respectively who are in custody since 04.10.2022 and 10.10.2022 in FIR No. 222 dated 04.10.2022, Police Station Bhagapurana, in respect of the offences punishable under Sections 25(6), 25(7) of the Arms Act, Sections 3,4,5,6 of the Explosive Substances Act, Section 10, 13, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 (Amended in 2012) (for short "UAPA") and Section 120-B of IPC.
3. Briefly stating the facts of the case are that on 04.10.2022, police party received a secret information that Arshdeep Singh @ Arsh Dala son of Charanjit Singh, residing in Canada belonging to a terror outfit, declared fugitive by the Government, along with Manpreet Singh @ Peeta, Amritpal Singh @ Ammy residing at Manila are indulging in anti-National activities having links with Pakistani terrorists and are planning to create terror to destroy peace in the State and have also brought huge quantity of arms, ammunition and explosives from across the border which have been received by co-accused Veeja Singh @ Vija Singh, Ranjodh Singh @ Jyoti and as per instructions of the aforesaid co-accused Arshdeep Singh Dala, arms and ammunition have been delivered to Harpreet Singh @ Hira. As per instructions given by the aforesaid Arshdeep etc.



through mobile internet, Harpreet Singh @ Hira was going in his car PB03BF-1462 from Bathinda to Amritsar to supply the consignment of weapons. Accordingly, a naka was laid by the police party headed by DSP, Bhaghapurana, after some time they noticed the said car coming which was signaled to stop but instead he tried to turn the car but was apprehended. Their search was conducted in accordance with law leading to recovery of one 9mm pistol alongwith 10 live cartridges, one .30 bore pistol with 40 live cartridges and three live hand grenades, which were taken into police possession and the accused were formally arrested.

4. We have heard learned counsel for the parties.

5. It is the *inter alia* contended by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case, without there being any *prima facie* material connecting them with the commission of the alleged offence. It is contended that appellant Harpreet Singh @ Hira was arrested on 04.10.2022 and appellant Veeja Singh @ Vija Singh @ Vijay was arrested on 10.10.2022 and after completion of investigation challan was presented in Court originally on 01.04.2023 without there being any sanction of the competent authority to prosecute under UAPA. Now, prosecution has filed the supplementary challan after taking requisite sanction, which is not in accordance with law and the appellants cannot be allowed to incarcerate indefinitely. Hence prayed for grant of regular bail and acceptance of the present appeals.

6. On the other hand, learned counsel for the State has strongly opposed these assertions by submitting that although the FIR was registered under Section 25(6), 25(7) of the Arms Act, Sections 3,4,5,6 of the Explosive



Substances Act, Section 10, 13, 18 and 20 of UAPA but the challan was presented originally on 01.04.2023 and the requisite sanction to prosecute under UAPA was not accorded by the competent authority by that time, learned trial Court framed the charges by deleting offences under UAPA and subsequently one prosecution witness was also examined. He submits that after applying its mind and in appreciation of evidence collected by the police, competent authority granted requisite sanction under Section 45(1) of UAPA to prosecute the accused vide order dated 01.10.2024 and consequently supplementary challan has been presented in Court which is now pending for 05.02.2026 for the consideration of charge. He submits that earnest efforts would be made by prosecution to produce the witnesses in time. He submits that the appellants have criminal antecedents and are involved in heinous crime involving cross-border smuggling of narcotics, arms, explosives and are indulging in anti social activities including spreading terror in the country, as such they are not entitled to concession of bail. Hence prayed for dismissal of the appeals.

7. After considering the rival submissions and perusing the record, it transpires that the appellants Harpreet Singh @ Hira and Veeja Singh @ Vija Singh @ Vijay were arrested on 04.10.2022 and 10.10.2022 respectively and are in custody. Although the challan originally was filed by the police after completion of investigation on 01.04.2023 but consequent to grant of requisite sanction dated 01.10.2024 by the competent authority under Section 45 (1) of the UAPA to prosecute the accused for offences under Section Section 10, 13 18 and 20 of UAPA, Section 25(6), 25(7) of the Arms Act, read with Sections 3,4,5,6 of the Explosive Substances Act, supplementary challan was presented



against the accused on 28.01.2025 and the date fixed before the trial court is 05.02.2026 for consideration of the charge.

8. As regard the case of appellant Veeja Singh @ Vija Singh @ Vijay the learned counsel for the appellant has sought parity with Ranjodh Singh @ Jyoti on the basis of order dated 10.09.2024 passed in CRA-D-683-2024, however perusing the said order with the facts and circumstances of the present case, it is observed that no ground for parity is made out because the said order was passed on 10.09.2024 without their being sanction accorded by the competent authority under Section 45(1) of the UAPA to prosecute the accused for such offences, whereas the said sanction by competent authority on 01.10.2024 and supplementary challan has since been presented in Court against the appellants under the provision of UAPA, Explosive Act and Arms Act. Moreover, it is evident from the record that recovery of one 9mm pistol alongwith 10 live cartridges, one .30 bore pistol with 40 live cartridges and three live hand grenades from the possession of the appellant Harpreet Singh @ Hira by the police, whereas, there are specific allegations against Veeja Singh @ Vija Singh @ Vijay that he had been receiving the arms, explosive ammunition from across the border and had been receiving instructions through mobile internet from Arshdeep Dala, a fugitive so declared by the Government.

9. In view of the above facts and circumstances, considering the serious nature and gravity of the offence, as well as the factum of recovery of arms an ammunition in the case as well the criminal antecedents of the appellants, no case is made out in favour of the appellants for grant of bail at this stage.

10. However, the appellants would be at liberty to revisit the Court, in case so desired, after the examination of the main witnesses by the prosecution.
11. As a consequent the instant appeals are hereby dismissed.
12. Pending application(s) if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

(SHEEL NAGU)
CHIEF JUSTICE

Dated: 30.01.2026
Gyan

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |