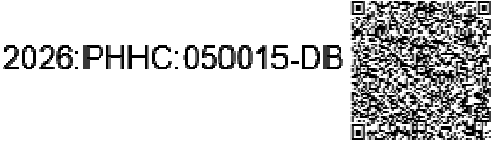


IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH



CRA-D-1302-2025 (O&M)
Reserved on : 19.03.2026
Pronounced on: 01.04.2026

Charanjit Singh @ PatialaAppellant
versus
State of PunjabRespondent

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

Present: Mr. Gursharan K.Mann, Senior Advocate with
Mr. Arshjot S.Mohni, Advocate,
Mr. Anmol Jeevan S.Gill, Advocate and
Ms. Shruti, Advocate, for the appellant.

Mr. Siddharth Attri, Assistant Advocate General, Punjab.

FIR No.	Date	Police Station	District	Under Sections
154	23.07.2010	Machhiwara	Ludhiana	4/5 of the Explosive Substance Act and Sections 17,18 and 20 of the Unlawful Activities (Prevention) Act,1967.

RAMESH KUMARI, J.

The appellant-accused has filed the instant appeal challenging the impugned order dated 10.09.2025 vide which his application for grant of regular bail in the case arising out of above noted FIR has been dismissed by the Court of learned Additional Sessions Judge, Ludhiana.

2. The allegations against the appellant-accused are that on 23.07.2010, during patrolling, the police team headed by Inspector Anil Kumar spotted a motor cycle with two occupants, who were signaled to stop and on seeing the police party, the driver of the said motor cycle slowed down and the pillion rider in the meanwhile fled away towards the fields. Although two police officials chased him but he managed to escape. The motor cycle rider was apprehended with the help of police officials and on being enquired by Inspector Anil Kumar, he disclosed his name as Gurmail Singh and that of co-accused who had fled away as Charanjit Singh alias Patialvi. On search of co-accused Gurmail Singh and the motor cycle, 230 grams RDX and two live detonators, one wire having length of 5 meter and one small battery were recovered. Accordingly, co-accused Gurmail Singh was arrested.
3. We have heard learned counsel for the parties at length and perused the record.
4. It is not in dispute that the appellant was nominated in the FIR on the basis of disclosure statement made by co-accused Gurmail Singh, who has already been convicted and sentenced by the Court of Additional Sessions Judge, Ludhiana vide judgment dated 07.03.2012 whereas the present appellant-accused was declared as proclaimed offender in the said case vide order dated 04.03.2011. Later on, the appellant-accused was arrested by the police on 22.04.2022 but was discharged by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 19.09.2022 for want of sanction to prosecute the appellant-accused as required under Section 7 of the Explosive Substance Act. Co-accused Gurmail Singh had since died. Thereafter, the investigating agency obtained necessary sanction under Section 45 of the Unlawful Activities (Prevention) Act, 1967 on 28.09.2022 and under Section 7 of the Explosive Substances Act, 1908 on 10.02.2023. The supplementary challan

was presented against the appellant and he accordingly moved an application for pre-arrest bail which was dismissed vide order dated 27.02.2025 by the Court of learned Additional Sessions Judge, Ludhiana. The appellant filed an appeal in this Court challenging the order dated 27.02.2025 which was disposed of by this Court vide order dated 04.09.2025 passed in CRA-D-443 of 2025 granting liberty to the appellant-accused to surrender before the trial Court and to move an application for grant of regular bail. The appellant duly surrendered before the trial Court and was taken into custody and thereafter he moved an application for grant of regular bail which was dismissed by the trial Court vide order dated 10.09.2025. The appellant is in custody since the date of surrender i.e. 10.09.2025.

5. Learned counsel for the appellant-accused submitted that once the appellant-accused was discharged by the trial Court, the investigating agency was not competent to present the supplementary challan/charge sheet against him. The prosecution has examined as many as 11 witnesses out of total 22 witnesses and five witnesses have been given up and seven witnesses remain to be examined. No useful purpose shall be served for detaining the appellant-accused in custody. Co-accused Gurmail Singh who had since been convicted and sentenced has died and there is nothing against the appellant and therefore, he deserves the concession of regular bail.
6. Per-contra, learned State counsel submitted that the appellant has been specifically named in the FIR. He further contended that on 23.07.2010 at about 7.15 P.M. in the area of village Dopana during barricading by the police party, co-accused Gurmail Singh (since died) was intercepted by the police party when coming on a motor cycle along with the present appellant-accused and on seeing the police party the appellant-accused managed to escape from

the spot. A recovery of 230 gram of RDX was effected from the possession of co-accused Gurmail Singh. Two live detonators, one wire having length of 5 meter and one small battery were also recovered from a plastic bag kept in the upper cover of front light of the motor cycle. The present appellant was specifically named by accused Gurmail Singh as a pillion rider who fled away after noticing the police party. Accused Gurmail Singh (since died) had been convicted and sentenced by the Court of learned Additional Sessions Judge, Ludhiana vide judgment dated 07.03.2012. The present appellant-accused was arrested by the police on 24.04.2022 but was discharged vide order dated 19.09.2022 for want of sanction to prosecute the appellant-accused as required under Section 7 of the Explosive Substance Act. Thereafter, the investigating agency obtained necessary sanction under Section 45 of the Unlawful Activities (Prevention) Act, 1967 on 28.09.2022 and under Section 7 of the Explosive Substances Act, 1908 on 10.02.2023. Supplementary challan was presented in the trial court against the appellant on 17.07.2023. Charges punishable under Sections 17,18 and 19 of the Unlawful Activities Prevention Act and under Sections 4/5 of the Explosive Substance Act were framed against the appellant on 16.09.2025. Learned State counsel further contended that there exists a prima-facie case against the appellant as he indulged in terrorist activities and he prayed that appellant-accused is not entitled for benefit of regular bail.

7. The conviction of co-accused Gurmail Singh by the Court of learned Additional Sessions Judge, Ludhiana vide judgment dated 07.03.2012 substantiates the veracity of the case of prosecution. The present appellant has been specifically named in the FIR as a pillion rider of motor cycle driven by co-accused Gurmail Singh, wherein alongwith recovery of 230 grams of RDX,

two live detonators, one wire having length of 5 meter and one small battery were recovered. Therefore, prima-facie, allegations of prosecution against the appellant-accused cannot be brushed aside and his complicity in the commission of offences along with co-accused Gurmail Singh seems evident. In any case, the trial is at the final stage as out of 22 prosecution witnesses, 11 witnesses have been examined, five have been given up and only seven witnesses remain to be examined.

8. In view of the above discussion, at this stage we are not inclined to interfere in the impugned order dated 10.09.2025 passed by the trial Court. Accordingly, the instant appeal stands dismissed.
9. Any observations made herein shall not be construed to be an expression of opinion on the merits of the case.
10. Learned trial Court is directed to take steps for expeditious conclusion of trial by summoning the witnesses who remain to be examined through special messenger.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE

01.04.2026
ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	√Yes/No