

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

2026:PHHC:022800



CRM-M-69269-2025 (O&M)

Date of decision: 13.02.2026.

KARAMJIT SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Hakam Singh, Advocate,
Ms. Amrita Negi, Advocate, and
Mr. Ajay Singh Virk, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.105 dated 21.12.2024, under Section(s) 113(1) and 113(3) of the Bharatiya Nyaya Sanhita, 2023, Section 9(B) of the Explosives Act, 1884, Section 5 of the Explosive Substances Act, 1908 and Section 25(1) of the Arms Act, 1959, registered at Police Station Behram,

District S.B.S. Nagar.

2 A table showing details of the offences and punishment prescribed for the same is extracted as under: -

113 BNS, 2023	113. (1) Whoever does any act with the intent to threaten or likely to threaten the unity, integrity, sovereignty, security, or economic security of India or with the intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country,— (a) by using bombs, dynamite or other explosive substance or inflammable substance or firearms or other lethal weapons or poisonous or noxious gases or other chemicals or by any other substance (whether biological, radioactive, nuclear or otherwise) of a hazardous nature or by any other means of whatever nature to cause or likely to cause,— (i) death of, or injury to, any person or persons; or (ii) loss of, or damage to, or destruction of, property; or (iii) disruption of any supplies or services essential to the life of the community in India or in any foreign country; or (iv) damage to, the monetary stability of India by way of production or smuggling or circulation of counterfeit Indian paper currency, coin or of any other material; or (v) damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State Government or any of their agencies; or (b) overawes by means of criminal force or the show of criminal force or attempts to do so or causes death of any public	(2) Whoever commits a terrorist act shall,— (a) if such offence has resulted in the death of any person, be punished with death or imprisonment for life, and shall also be liable to fine; (b) in any other case, be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.

		term which may extend to ten years, and shall also be liable to fine.]
Section 9-B of the Explosives Act, 1884.	[9B. Punishment for certain offences.—(1) Whoever, in contravention of rules made under section 5 or of the conditions of a licence granted under the said rules— (a) manufactures, imports or exports any explosive shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both (b) possesses, uses, sells or transports any explosive shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to three thousand rupees or with both; and (c) in any other case, with fine which may extend to one thousand rupees. (2) Whoever in contravention of a notification issued under section 6 manufactures, possesses or imports any explosive shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to five thousand rupees or with both; and in the case of importation by water, the owner and master of the vessel or in the case of importation by air, the owner, and the master of the aircraft, in which the explosive is imported shall, in the absence of reasonable excuse, each be punishable with fine which may extend to five thousand rupees. (3) Whoever,— (a) manufactures, sells, transports, imports, exports or possesses any explosive in contravention of the provisions of clause (a) of section 6A; or (b) sells, delivers or despatches any explosive in contravention of the provisions of clause (b) of that section, shall be	

	punishable with imprisonment for a term which may extend to three years or with fine or with both; or (c) in contravention of the provisions of section 8 fails to give notice of any accident shall be punishable,— (i) with fine which may extend to five hundred rupees, or (ii) if the accident is attended by loss of human life, with imprisonment for a term which may extend to three months or with fine or with both.	
Section 25(1) of the Arms Act	25. Punishment for certain offences.— [(1) Whoever— (a) manufactures, sells, transfers, converts, repairs, tests or proves, or exposes or offers for sale or transfer, or has in his possession for sale, transfer, conversion, repair, test or proof, any arms or ammunition in contravention of section 5; or (b) shortens the barrel of a firearm or converts an imitation firearm into a firearm in contravention of section 6; or * * * * * (d) brings into, or takes out of, India, any arms or ammunition of any class or description in contravention of section 11	shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

3 The aforesaid FIR was registered on the basis of secret information received by the police officials. The prosecution version may be extracted thus: -

“..... On 21.12.2024, police officials received secret information to the effect that the head of Babbar Khalsa International Organization namely Harwinder Singh Rinda is sending arms and ammunition in India. His companions Gurpreet Singh @ Gopi and Jaspreet Singh @ Jassi through their friends are in the progress of committing terrorist activities in India. The informer also informed that few days ago

Harwinder Singh Rinda has sent weapons and grenades etc. through Jaspreet Singh @ Jassi to Manvir Singh. Today Manvir Singh is standing near Bir Sarangwal on his Aactiva bearing no. PB-32-T-8369 along with arms and ammunition and is waiting for his friends. Thereafter, present FIR under sections 113 (1), 113 (3) of BNS, 2023, u/s 9 (B) of Explosive Substances Act 08 and section 05 of Explosive Substances Act, 1908 and Section 25 (1) of Arms Act, 1959 was lodged and the police officials reached on the spot where Manvir Singh was standing on Aactiva bearing no. PB-32-T-8369. He was unable to produce the documents of said Aactiva. When the dikki of the Active was checked, two polythenes of black colour were found. On checking the said polythenes, one hand grenade was found in one polythene. One hand grenade along with IED (Improvised Explosive Device) were recovered from the polythene. The videography was conducted at the time of recovery on E-Sakshysya App. The said hand grenades along with IED and Aactiva were taken into possession. Accused Manveer Singh suffered confessional statement that his brother in law Karamjit Singh had called him to the effect that his friend Jaspreet Singh @ Jassi had called him that his man had kept concealed one hand grenade and other hand grenade along with IED near the signboard of Jhulka Jathere. Karamjit Singh informed him to take the said hand grenades and IED and to stop near Bir Sarangwal. As per the confessional statement of Manvir Singh he had taken the said hand grenade and IED as informed by his brother in law Karamjit Singh and was waiting for him. Karamjit Singh had informed him that if he will not reach on the said place then he will meet him at Y-point Pharala at 7.00 P.M. The police officials then went to Y-point Pharala where Manvir Singh identified Kamaljit Singh and Karamjit Singh suffered confessional statement regarding the hand grenades and IED as disclosed to him by his friend Jaspreet Singh @ Jassi. Further accused

Mandeep Singh suffered confessional statement to the effect that his brother in law Karamjit Singh informed him that Jaspreet Singh @ Jassi will contact him through Telegram App and he talked to said Jaspreet Singh @ Jassi on Telegram App. Said Jaspreet Singh Jassi told him that he works for Harwinder Singh Rinda who is president of Babbar Khalas International Organization. He informed him to take two hand grenades and IED and that thereafter he will inform that which police station will be attacked. He agreed to do the work at the instance of Jaspreet Singh Jassi and Karamjit Singh. Similarly, confessional statement of accused was also recorded in which he has stated that Manvir Singh had taken hand grenades and IED at his instance. On 30.12.2024 another confessional statement of Karamjit Singh was recorded to the effect that on 02.04.2024 Jaspreet Singh Jassi came to his house in Swift Car and told him that on 04.04.2024 he will got to Jordan. Jaspreet Singh told him to keep the swift Car. On 03.04.2024 to drop him at Amritsar Airport on 04.04.2024. On 04.04.2024 at 5.30 A.M. Jaspreet Singh Jassi and Simranjit Singh Bablu told him that they have committed murder of one Rattandeep, resident of Karnal. Then he dropped Simranjit Singh @ Bablu at Jalandhar Bus Stand and he and Jaspreet Singh Jassi came back to his house. Thereafter, after 3-4 hours he dropped Jaspreet Singh @ Jassi at Amritsar Airport. Jaspreet had informed him that to conceal the swift car which was used by him in committing murder of Rattandeep. He has concealed the car in the Haveli of his friend Balvir Singh. As per his confessional statement swift car bearing no.PB-32-W-0562 was recovered.”

4 Learned counsel for the petitioner contends that two explosive devices, i.e. a hand grenade and another hand grenade with an IED device, were recovered from co-accused Manvir, who is the brother-in-law (sala) of

the petitioner. The police apprehended him, and his disclosure was recorded to the effect that he had been asked by the petitioner herein (on being further asked by Jaspreet Singh) to collect the hand grenade and hand grenade with an IED device and thereafter, to have the same delivered. He submits that no recovery from the petitioner had been effected at the spot. He submits that the petitioner has been in custody since 02.01.2025 and has already undergone an actual custody of more than 1 year and 01 month. He submits that only one witness out of a total of 24 witnesses has been examined so far.

5 State counsel, on the other hand, contends that the petitioner, along with his co-accused Jaspreet Singh @ Jassi, had been handling the operations and affairs of Harwinder Singh Rinda, an absconding terrorist and President of Babbar Khalsa International Organization. The petitioner was aware that said Jaspreet Singh @ Jassi used to work for Harwinder Singh Rinda, the absconding terrorist. He submits that he was continuously working for an accused Jaspreet Singh @ Jassi, to spread fear and undertake terrorist activities in the State of Punjab. Said Jaspreet Singh @ Jassi had informed about the location to be targeted with the hand grenades; however, the petitioner chose not to inform the police about the explosives and instead asked his brother-in-law (sala) to collect the same for further delivery and for carrying out terrorist activities in the State of Punjab. It is contended that in an earlier FIR that had been registered against Jaspreet Singh @ Jassi in relation to the murder of one Rattan Deep Singh, resident of Karnal, the petitioner had been the link person for Jaspreet Singh @ Jassi and that he was the one who dropped Jaspreet Singh @ Jassi at the Amritsar airport. Referring to the above, counsel for the State contends that the petitioner's participation

in the commission of a crime, which is akin to terrorist activity in the State of Punjab, is well reflected. He contends that organized crime activities, having been undertaken to spread fear and terrorism in the State of Punjab, need to be curbed.

6 He further contends that the petitioner was nominated as an accused in FIR No.02 dated 15.01.2024, under Section 336 of the BNS, 2023, registered at Police Station Behram, however, he was discharged in the same on 20.02.2025.

7 I have heard the learned counsel appearing for the respective parties and have gone through the documents appended along with the present petition.

8 Undisputedly, the name of the petitioner has cropped up on the disclosure of his brother-in-law (sala) to the effect that he had collected the explosive on the specific asking of the petitioner herein, who was the link person between him and Jaspreet Singh @ Jassi, who is alleged to be a handler for the terrorist activities of the Babbar Khalsa International Terrorist Organization (a banned terrorist outfit).

9 It is not disputed that in so far as the FIR against Jaspreet Singh for murder of Ratandeep is concerned, the petitioner is not named as an accused and in the FIR No.02 dated 15.01.2024, the petitioner has already been discharged. Hence, this is the only case pending against the petitioner.

10 A specific question has been put to the State counsel as to what use the seized explosive was to be put to and as to whether the petitioner is aware of the ultimate usage of the same. He contends that he is not aware of the same and that the same is also not discernible from the investigation

conducted by the police.

11 A further question has been put to the State counsel as to whether the name of the petitioner is linked to any terrorist act, as prescribed under Section 113(1) of the BNS, 2023. The State counsel is not in a position to refer to any allegation or material connecting the petitioner to the same. He also does not dispute that the petitioner is not an accused of having used any explosive substance in any manner, as has caused death or injury to any person or damaged property of an individual or that he has appropriated any public funds by use of criminal force or abduction/kidnapping. In response to the question put with respect to Section 113(3) of the BNS, 2023, State counsel is not in a position to respond as to whether any terrorist activity was undertaken or not. He is also not in a position to refer to the evidence collected and to point out as to whether any terrorist act was planned to be executed with an intent to spread terror or likely to spread terror and threaten or likely to threaten the unity, integrity, sovereignty, security, or economic security of India or with the intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country. He is not in a position to refer to any part of the investigation in this regard.

12 Even though, the case set up by the respondent-State is that the petitioner was an active participant along with co-accused Jaspreet Singh @ Jassi in carrying out terrorist activities; however, he does not dispute that no such charge under Section 113(4) or 113(6) of the BNS, 2023, has been framed in the present case. Hence, the petitioner cannot be assumed to be a part of an association or dealing with members in a terrorist act. The issue as to whether the petitioner can be said to be in possession is yet to be

determined. Further, the sentence prescribed under Section 113(1) and 113(3) of the BNS, 2023 is for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.

13 Section 5 of the Explosive Substances Act imposes punishment for possession of explosive substances. Arguable issues would arise with respect to the petitioner's possession of the said explosive substances. The punishment for the commission of an offence under Section 9-B of the Explosives Act, 1884, is up to a period of 03 years.

14 In any case, the petitioner has undergone actual custody for a period of more than 01 year and 01 month, and only 01 out of 24 witnesses has been examined. Arguable issues would arise for the determination of the offences committed by the petitioner. The State has not been able to refer to any material on the basis of which the petitioner may be said to be a member of a banned terrorist organization and/or of him being in contact with the operators/handlers of the banned terrorist outfits or having actively participated in undertaking any specific terrorist activity so as to spread terror or threaten the sovereignty, integrity, peace and security of the State.

15 In view of the above, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

16 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

17 The observation made hereinabove shall not be construed as an

expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

February 13, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*