IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-D-1123-2025

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
06.11.2025	16.12.2025	FULL PRONOUNCED	16.12.2025

Rattan Singh ...Appellant

Versus

Central Bureau of Investigation …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. A.P.S. Deol, Sr. Advocate with
Mr. Himmat Singh Deol, Advocate
for the appellant.

Mr. Ravi Kamal Gupta, Advocate
for the respondent- CBI.

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ANOOP CHITKARA, J.

FIR-RC No.	Dated	Police Station	Sections
3(S)/2017/ CBI/SCB/CHG	09.01.2017	CBI, SCB, Chandigarh	120-B, 304 IPC, 3, 4, 5 of Explosive Substances Act and 16, 18 of Unlawful Activities (Prevention) Act

1. The appellant incarcerated in the FIR captioned above had come up before this Court seeking regular bail.

2. Per paragraph 11 of the appeal, the appellant has no criminal antecedents.

3. Per the custody certificate dated 26.10.2025, the appellant's total custody in this FIR is 05 years, 11 months and 18 days.

4. The appellant's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the appellant and their family.

5. The appellant's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the appellant repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, or commits any offence under the NDPS Act, where the quantity involved is more than half of the intermediate, or commercial quantity, or violates S. 19, or 24, or 27-A of the NDPS Act, the State may file an application to revoke this bail before the concerned Court having jurisdiction over

this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the appellant shall have no objection.

6. The State's counsel opposes bail.

7. Allegations against the appellant are being taken from the final report filed by the police under Section 173 CrPC (Annexure A-5). FIR was registered based on the statement of the complainant on 5th December 2015 wherein she stated that on the previous day i.e. on 4th December 2015 at about 7:30 PM Jagmohan Singh @ Manga came to their house in his car and he took away her husband in his car but her husband has not returned back home. The complainant gave telephonic calls to her husband but did not respond. In the morning, she read in the newspaper that her husband Ajay has been murdered by Jagmohan Singh by conspiring with some other persons by keeping some explosive substances like bombs under his seat. His dead body was received in Civil Hospital. Based on these allegations, FIR was registered in the police station and the investigation commenced. Subsequently the complainant gave another statement to the police in which she changed her first narration and stated that Jagmohan Singh had taken her husband and he had not come home and she had got to know from the newspapers about death of her husband. At that time because of her husband's death she was bewildered and could not tell the true facts, however she stated that the true facts which led to the death of her husband were that their financial position was very bad and a court case was going on with regard to their house. Sometime before, her husband told her that he had developed links with Hardeep Singh son of Mehar Singh resident of Village Bhulath and Jagmohan Singh @ Manga resident of Gudaipur. Firstly, they entangled him in greed of money and told him to teach a lesson to Udhay Singh and Jagtar Singh who belonged toNamdhari sect and to kill Jagtar Singh who is relative of Udhay Singh. A week before, Jagmohan Singh along with her husband went to Gurbhej Singh at Sirsa Haryana and told that we have to meet Gurbhej Singh. After that, her husband returned along with Jagmohan Singh after meeting Gurbhej Singh and told that they have taken a bomb from Gurbhej Singh and handed over the same to Hardeep Singh. She stated that they had entangled her husband in greed by assuring to give him one acres of land. They also told him that he would become rich in few days.

8. On 4th December 2015, they reached their home on the pretext of meeting Hardeep Singh and after that all these persons in a conspiracy to murder her husband blasted a bomb like substance and killed him. This statement was also recorded and investigation started. Based on this information, Hardeep Singh, Jagmohan Singh and Harbhej Singh were nominated as accused. On 16th December 2015, SHO arrested accused Hardeep Singh and on 17th December 2015, he disclosed that he had good friendly relationships with Jagmohan Singh, Ajay Sharma, Harbhej Singh and Rattan Singh. All of them belong to Namdhari sect. Jagmohan Singh and Ajay Sharma were sent to Harbhej Singh and

Rattan Singh at Dera of Namdharis situated in Sirsa from where they brought 3 bombs explosives and explosive substances in three boxes and they had kept the same with him i.e. Hardeep Singh.

9. He further stated that on 4th of December 2015, Jagmohan Singh came in his car along with Ajay Sharma and took one box of explosive substance and two bombs remained with him. On 5th December 2015, he read in newspaper and got to know that the bomb was blasted by Ajay Sharma in the car of Jagmohan Singh @ Manga, due to which Ajay Sharma has died and Jagmohan Singh has also been mildly injured.

10. He further stated that he has thrown away the remaining 2 bombs in the water at different places near iron bridges in the river and only he knows about the place. As per the disclosure statement of Hardeep Singh, SHO recovered steel box in which there were explosive substances lying in polythene bag.

11. On 18th December 2015, accused Jagmohan Singh who was injured in the bomb blast was arrested and he also suffered a disclosure statement in the following terms. Stated that he belonged to Namdhari sect and there was great love and affection between him and Hardeep Singh who also belongs to Namdhari sect. They were visiting each other's houses and even there was a love and affection between him and Ajay Sharma who was a partner with him in his work for long time. They would go to Sirsa where Namdhari deras are situated. Udhay Singh and Jagtar Singh who also belonged to Namdhari community were keeping a grudge on the head of our dera namely Dalip Singh. He along with Ajay Sharma and Hardeep Singh made a plan to kill them and for this purpose, they entangled Ajay Sharma in greed of money who is a poor person and Hardeep Singh assured to give one acre of land to Ajay Sharma. After that, they would go to Sirsa, where they developed love and friendship with Harbhej Singh and Rattan Singh and they also belong to Namdhari sect. They have conspired to kill Udhay Singh and Jagtar Singh Namdhari due to grudge and around 23 days before, he along with Ajay Sharma had gone to another village from where they took three bomb explosive substances in three separate boxes from Harbhej Singh and Rattan Singh (appellant). This explosive substance was provided by Ranjit Singh, resident of Rohini, Delhi with whom they were in contact telephonically and handed over these three boxes to Hardeep Singh aforesaid.

12. On 4th December 2015, as per their plan, he along with Ajay Sharma had gone to Hardeep Singh in their car and decided to check one bomb by blasting it. Then we took one box of explosive substance from Hardeep Singh and came back in our car along with Ajay. While coming back, when they reached Rasukpur Brahmna, then on their way leading to Nogaja Chowk, at that time he was driving the car and Ajay Sharma was sitting on the front seat besides him and the explosive was kept by him in his car in his hands but the bomb blasted.

13. Based on this information, appellant Rattan Singh was arrested. An analysis of the police report would point out that although as per the disclosure statement of co-accused Harjeet Singh, he stated that the bomb was provided by Ranjit Singh son of Balbir Singh resident of Rohini, Delhi, thus the role of the appellant Rattan Singh is extremely unclear in the disclosure statement which otherwise is also legally difficult to prove.

14. On 25th January 2016, accused Harbhej Singh and Ranjit Singh were arrested and during interrogation, on 29.01.2026, accused Harbhej Singh made a disclosure statement that he has handed over three tiffin bombs containing explosive substance to Jagmohan Singh @ Manga and Ajay Sharma. The other accused Ranjit Singh also made a disclosure statement that he had a laptop in which names and addresses of the persons who were involved in conspiracy of bomb blasts have been saved and he got disclosed that laptop.

15. On 30th January 2016, in the interrogation accused Harbhej Singh disclosed that in November 2015, he and Rattan Singh met and were close being Namdhari. Palwinder Singh @ Dimple and Mehnga Singh put three different bombs in a corrugated box and handed over the same to them in the shape of gift and instructed them to hand over this gift to Jagmohan Singh.

16. We have perused the entire police report filed under Section 173 CrPC and the only evidence against the appellant Rattan Singh is a faint disclosure statement and it has not come in the investigation about his exact role and how was he connected with bomb making. This coupled with the custody of the appellant being around six years, it would be gross injustice if his liberty is continued to be restrained even after such a long time in the background of such sketchy evidence. As a result, the appeal is allowed. The rejection of bail order passed by Sessions Court is set aside.

17. Counsel for the appellant has undertaken to abide by the undertakings made by him through his counsel to the Court as has been recorded in the beginning of this order.

18. The appellant is directed to attend each and every date and not to seek an adjournment. If he does so, the present bail shall be cancelled.

19. The discussion is only for analyzing bail and shall not be referred to for charges and trial, which shall be on its own merits, without referring to this order.

20. Without commenting on the case's merits, in the facts and circumstances unique and peculiar to this case, and for the reasons mentioned above, the appellant makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

21. Given the above, provided the appellant is not required in any other case, the appellant shall be released on bail in the FIR captioned above, subject to furnishing bonds

of Rs.1 lac to the satisfaction of the concerned trial Court and due to unavailability before any nearest Ilaqa Magistrate or duty Magistrate.

22. While furnishing a personal bond, the appellant shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

23. This order is subject to the appellant's complying with the following terms.

24. The appellant shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

25. Given the background of allegations against the appellant, it becomes paramount to protect the victim(s) family members, as well as the members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report, discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearms. [This restriction is being imposed based on the preponderance of evidence of probability and not of evidence of certainty, i.e., beyond a reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the appellant shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days from release from prison and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the appellant shall be entitled to renew and take it back in case of acquittal in this case, provided otherwise permissible in the concerned rules. Restricting firearms would instill confidence in society; it would also restrain the accused from influencing the witnesses and repeating the offense.

26. The conditions mentioned above imposed by this court are to endeavor to reform and ensure the accused does not repeat the offense and also to block the menace of drug abuse. In Mohammed Zubair v. State of NCT of Delhi, 2022:INSC:735 [Para 28], Writ Petition (Criminal) No 279 of 2022, Para 29, decided on July 20, 2022, A Three-Judge bench of Hon'ble Supreme Court holds that "The bail conditions imposed by the Court must not only have a nexus to the purpose that they seek to serve but must also be

proportional to the purpose of imposing them. The courts, while imposing bail conditions must balance the liberty of the accused and the necessity of a fair trial. While doing so, conditions that would result in the deprivation of rights and liberties must be eschewed."

27. In Md. Tajiur Rahaman v. The State of West Bengal, decided on 08-Nov-2024, SLP (Crl) 12225-2024, Hon'ble Supreme Court holds in Para 7, "It goes without saying that if the petitioner is found involved in such like offence in future, the concession of bail granted to him today will liable to be withdrawn and the petitioner is bound to face the necessary consequences."

28. This bail is conditional, with the foundational condition being that if the appellant repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the trial Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

29. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

30. It is clarified that this bail order shall not be considered as a blanket bail order in any other matter and is only limited to granting bail in the FIR mentioned above.

31. In Amit Rana v. State of Haryana, CRM-18469-2025 [in CRA-D-123-2020, decided on 05.08.2025], a Division Bench of Punjab and Haryana High Court in paragraph 13, holds that "To ensure that every person in judicial custody who has been granted bail or whose sentence has been suspended gets back their liberty without any delay, it is appropriate that whenever the bail order or the orders of suspension of sentence are not immediately sent by the Registry, computer systems, or Public Prosecutor, then in such a situation, to facilitate the immediate restoration of the liberty granted by any Court, the downloaded copies of all such orders, subject to verification, must be accepted by the Court before whom the bail bonds are furnished."

32. **Appeal allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(H.S. GREWAL)
JUDGE

16.12.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: YES.