

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

**CRA-D-182-2026 (O&M)**

<b>JUDGEMENT RESERVED ON</b>	<b>JUDGEMENT PRONOUNCED ON</b>	<b>OPERATIVE PART PRONOUNCED OR FULL</b>	<b>UPLOADED ON</b>
<b>10.03.2026</b>	<b>01.04.2026</b>	<b>FULL PRONOUNCED</b>	<b>01.04.2026</b>

Hardik Kamboj

...Appellant

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA  
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Satbir Singh Gill, Advocate (Through VC)  
For the appellant.

Mr. Birender Bikram Attrey, Addl. AG, Haryana.

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ANOOP CHITKARA, J.

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Section</b>
80	06.04.2025	Guhla	13, 16, 18, 23 of Unlawful Activities (Prevention) Act 1967 (Amendment 2012), Sections 109, 3(5), 60 BNS and Sections 3, 4 & 5 of the Explosive Act 1884 and 109(1) of BNS (as per bail application)

<b>Criminal Case number before the Sessions Court</b>	<b>CNR No.HRKH0100-5634-2025</b>
<b>Date of Decision</b>	<b>30.09.2025</b>

**CRM-5650-2026**

Present application has been filed for condonation of delay of 97 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed.

Delay of 97 days in filing the appeal, is condoned.

**CRA-D-182-2026**

Aggrieved by the dismissal of regular bail by the Additional Sessions Judge, Kaithal vide order dated 30.09.2025, the appellant had come before this Court by filing the present appeal, seeking bail in the FIR mentioned above.

1. As per para 15 of the reply filed by the State, the appellant has the following criminal antecedents: -

Sr. No.	FIR	Dated	Police Station	Sections
1	59	18.03.2025	Maksudan, District Jalandhar	109, 221, 132, 261, 62 BNS and 25 of Arms Act
2	57	16.03.2025	Maksudan, District Jalandhar	109, 61 BNS, Sections 3/4/5 of Explosive Act, 13, 16, 17, 18, 18-B, 20 UAPA and 25 of Arms Act

2. The facts of the case are being taken from the reply dated 09.03.2026, which reads as follows:-

*“That briefly the facts of the case are that on 06.04.2025, at around 5.30AM, information was received at Police Post Mehmudpur that a loud explosion had taken place inside the boundary wall behind the premises of Checkpoint Azimgarh. On receiving the information, Incharge ASI Rajesh Kumar No. 1056 Kaithal along with other officials reached the spot of incident, where ESI Dalbir Singh No.745 Kaithal and SPO Judge Singh were found present. ESI Dalbir Singh met ASI Rajesh Kumar No. 1056 Kaithal and got his statement recorded about the incident. After a thorough inspection of the premises of the Checkpoint as well as spot of incident, the remains of previously burned junk scattered in disarray beneath a banyan tree located inside the boundary wall of the Police Post were found. During the search, a green iron handle-shaped leaf lying beneath the banyan tree was also discovered. Furthermore, a post has been shared on social media by the Babbar Khalsa terrorist organization claiming responsibility for the explosion. The post reveals that unidentified individuals, carrying out illegal activities, attacked the checkpoint with a grenade bomb or other lethal explosive device within the checkpoint's boundary walls, with the intention of killing the police officers. By acting in this manner, the accused attempted to undermine the unity and integrity of India. Nearby cameras were checked, and the Scene of Crime Team in-charge, Dr. Bhira Ram, was informed to arrive at the scene. At around 4:00 PM, Dr. Bhaura Ram arrived at the scene with his team in a government vehicle, number HR03GV-5877. Dr. Bhira Ram inspected the scene. Then SSO Dinesh Kumar, in-charge of BDDS CID Haryana Rohtak team, reached the spot along with his team in the government vehicle HR03GV-4819, where SSO Dinesh Kumar, in-charge of BDDS CID Haryana Rohtak team, inspected the spot. From the gist of the statement, the offence was found to be under sections 109 (1), 3 (5) BNS, 4, 5 Explosives Act 1884 and sections 13,16,18,23 of Unlawful Activities (Prevention) Act 1967,*

*hence the above mentioned case was registered and the first investigation of the case was done by ASI Rajesh Kumar number 1056 Kaithal.*

*3. That on 06.04.2025 the further investigation of the case was initiated by Rajender Kumar, the then SHO police station Guhla. During the investigation, videography was conducted at scene of the crime using E-SAKSHAY. Recovery memos were also prepared duly signed by the witnesses. Statement of witnesses was also recorded under Section 180 of the BNSS. During the investigation, the DVR from CCTV cameras installed near the scene of the crime was taken into police custody by preparing a recovery memo duly signed by the witnesses and a separate certificate was prepared under Section 63 (4) of the BSA. The Case property was deposited in the Malkhana. On 07.04.2025, on the identification of the complainant, the scene of incident was inspected and a sketch of the scene of incident was prepared.”*

3. The FIR in question was initiated on secret information, which led to the arrest of other accused and, eventually, to the arrest of appellant-Hardik Kamboj.
4. We have heard counsel for the parties and gone through the record, including the reply and its analysis, which would lead to the following outcome.
5. The role of the appellant is mentioned in the reply filed by the State, which reads as follows:-

*“ 5. That the petitioner/accused played an active role based upon the following facts discovered during the investigation:-*

*A. During the investigation, based on secret sources, on 18.04.2025, accused Ankit Bedi alias Boxer son of Gurnam Singh alias Gulu, resident of Chhot, Police Station Sadar Kaithal, was apprehended and arrested as per the procedure after interrogation. Upon thorough interrogation, the arrested accused Ankit Bedi, without any fear or pressure, described the facts regarding the incident and got his disclosure statement recorded on 18.04.2025 duly signed by the witnesses. Further during the investigation, it was found that accused Ankit Bedi had been in contact for a long time with the main leader of Khalistan Zindabad Force (KJF), Sahjad Bhatti, Jaseen Akhtar (main accused in the Baba Siddiqui murder case) and Happy Pachhiya etc., through the gang's handler Hardik Kamboj son of Jitender, resident of Beeta Police Station Bilaspur, District Yamunanagar.*

*B) That further during the investigation, interrogation of the accused revealed that accused Ankit (aforementioned) was aware of explosive attacks in Punjab*

*and Haryana through social media platforms. He had been forwarding information about the Kaithal area to the gang's handler, Hardik Kamboj (aforementioned), to facilitate the successful execution of the explosive attack on the police post in the Guhla police station area. Further a preliminary check of the mobile phone recovered from the arrested accused Ankit Bedi (aforementioned) revealed that accused Ankit had created approximately eight Instagram IDs on his mobile phone. Through these, accused Ankit was in contact with the gang's handler, Hardik Kamboj, and Jaseen Akhtar, among others. Accused Ankit Bedi (aforementioned) had already received complete information about the explosive attack on the Azimgarh police post in the Guhla police station through his handler, Hardik Kamboj. Numerous messages and audio-video clips were found on the Instagram IDs on accused Ankit's mobile phone. After checking all the messages, audio and video clips, it was found that the above mentioned accused Ankit was sending a lot of information for carrying out the crime to the group leaders through the gang's handler Hardik Kamboj for a long time. During the inspection of the mobile phone, Kuldeep Singh, Deputy Superintendent of Police, Guhla, took 44 photos of the chats and voice messages from the Instagram ID of the above mentioned accused Ankit with the gang's handler Hardik Kamboj and Zeeshan Akhtar etc was taken into custody which was put in a pen drive make HP 8GB by ASI Amarjeet Singh No. 33/Kaithal and presented to Kuldeep Singh, Deputy Superintendent of Police, Guhla and recovery memo dated 19.04.2025 was prepared. During the investigation, the mobile phone brand Vivo, light green in colour, found from the possession of the above mentioned accused Ankit during his arrest, was recovered and after sealing it with his seal KB/1, the mobile phone was taken into police custody by preparing a recovery memo and deposited into Malkhana. Based on the evidence obtained during the investigation, Section 60 of the BNS was added to the case. On 19.04.2025, the accused Ankit above was produced in the Hon'ble Court and two days police custody remand of the accused was obtained.*

*6. That on 20.04.2025, Rajender Kumar, the then SHO of Police Station Guhla, interrogated Kritansh, son of Paramjeet Singh, resident of Hajipur, District Mahendragarh. No incriminating evidence was found against him. Kritansh was released. On 21.04.2025, accused Ankit Bedi was produced before the Hon'ble Court and was sent to District Jail Kaithal as per the orders of the Hon'ble Court. Further on 30.04.2025, Ankit Bedi aforesaid submitted an application in the Hon'ble Court of Dr. Amit Kumar ASJ Special Court Kaithal regarding his being a juvenile, along with a photocopy of his*

*birth certificate and mark list of 10th class, for verification of the date of birth of Ankit Bedi aforesaid. Rajender Kumar, the then SHO, Police Station Guhla verified the date of birth of Ankit Bedi by obtaining the records from Shahid Havaladar Bharat Singh Government Higher Secondary School, Chhot, District Kaithal and PHC Dahaula, District Jind. The date of birth of the above-accused Ankit Bedi has been confirmed as 22.06.2007. Whose age was 17 years 09 months 16 days at the time of the incident of the charge and at the time of arrest his age was 17 years 09 months 28 days. The report of verification of date of birth of Ankit Bedi was given in the Honorable Court Special Court Kaithal on 07.05.2025. According to the order of Honorable Court Special Court Kaithal dated 07.05.2025, Ankit Bedi above was declared juvenile. Ankit Bedi above is in the detention home Madhuban District Karnal. On 08.05.2025, one parcel plastic jar containing handle shaped leaf grenade found at the scene of incident and one parcel plastic jar containing ashes collected from the scene of incident were deposited at FSL Hisar for testing. On 14.5.2025, a Sketch/map of the scene of the incident was prepared by Rishipal, draftsman, office of the Superintendent of Police, Kaithal. On 19.05.2025, the parcel containing mobile phone Marks VIVO was sent to CFL Panchkula for examination. Statements of witnesses were recorded. A juvenile challan under section 193 (3) BNSS was prepared against accused Ankit Bedi on 24.05.25 and was submitted to the Honorable Principal Juvenile Justice Board Kaithal on 28.05.2025. The same is now fixed for 13.03.2026.*

*7. That as per the disclosure statement of juvenile Ankit Bedi dated 18.04.2025, the name of accused Hardik Kamboj son of Jitender resident of Beeta police station Bilaspur District Yamunanagar was disclosed who is confined in District Jail Kapurthala in FIR No.57/25 under sections 109, 61 BNS and 13, 16, 17, 18 B UAPA, 25 ARMS Act, Police Station Maksudan, District Jalandhar (Punjab). A production warrant was issued for accused Hardik Kamboj, from the Ld. Guhla Court on 31.05.2025. The accused Hardik Kamboj was interrogated and arrested as per law. The confession statement of the accused dated 31.05.2025 was recorded separately duly signed by him and the witnesses. As per the confessional statement of the accused, 4 days police custody remand of the accused Hardik was obtained from the Ld. Guhla Court in the case. The physical medical examination of the accused was done at the Government Hospital, Guhla. On 01.06.2025, the accused Hardik Kamboj was interrogated at SDU Kaithal. On 02.06.2025, accused Hardik Kamboj again recorded his confessional statement duly*

*signed by him and the witness. On 03.06.2025, the accused Hardik Kamboj was again thoroughly interrogated by the Deputy Superintendent of Police, Guhla, in the office of the Deputy Superintendent of Police, Guhla. On 04.06.2025, after physical medical examination as per the order of the Hon'ble Court, the accused Hardik was sent to Central Jail Kapurthala.”*

6. Prima facie the matter is extremely serious. There are tails sizes of hand grenade exposure and sufficient evidence which points towards involvement of the appellant and furthermore, the appellant has criminal history. In case, this Court grants bail, there is likelihood that he is likely to repeat the offence and create chaos in the entire country which can affect integrity and sovereignty of the country, which cannot be done by any person whatsoever.

7. In UOI Rep. by Insp. of NIA v. Barakathullah, [2024] 5 S.C.R. 1011; 2024 INSC 452, May 22, 2024, the Hon'ble Supreme Court holds,

[2]. The Central Government in Ministry of Home Affairs, CTCR Division having received a credible information that the office bearers, members and cadres of Popular Front of India (PFI), an extremist Islamic organization have been spreading its extremist ideology across Tamil Nadu, by establishing State Headquarters at Purasaiwakkam, Chennai and also offices in various districts of Tamil Nadu and that through their frontal Organizations like Campus Front of India, National Women's Front, Social Democratic Party of India etc., they conspire for committing terrorist acts, raise funds for committing terrorist activities and recruit members for furthering their extremist ideology, and that the frontal organizations and PFI were involved in the recruitment of members to various prescribed terrorist organizations, passed an order on 16th September 2022, in exercise of the powers conferred under sub-section (5) of Section 6 read with Section 8 of the National Investigation Agency Act, 2008 (hereinafter referred to as the 'NIA Act'), directing the National Investigation Agency to take up investigation of the said case. In view of the said order, an FIR being RC-42/2022/NIA/DLI came to be registered on 19.09.2022 against the present respondents and other members and office bearers of PFI for the offences under Section 120(b), 153(A), 153(AA) of IPC and Section 13,17,18,18(B), 38 and 39 of the Unlawful Activities (Prevention) Act, 1957 (hereinafter referred to as the "UAPA").

[22]. In the instant case, we are satisfied from the chargesheet as also the other material/documents relied upon by the appellant that there are reasonable grounds for believing that the accusations against the respondents are prima facie true and that the mandate contained in the proviso to Section 43(D)(5) would be applicable for not releasing the respondents on bail. Having regard to the seriousness and gravity of the alleged offences, previous criminal history of the respondents as mentioned in the charge-sheet, the period of custody undergone by the respondents being hardly one and half years, the severity of punishment prescribed for the alleged offences and prima facie material collected

during the course of investigation, the impugned order passed by the High Court cannot be sustained. We are conscious of the legal position that we should be slow in interfering with the order when the bail has been granted by the High Court, however it is equally well settled that if such order of granting bail is found to be illegal and perverse, it must be set aside.

8. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
9. Appeal dismissed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

(SUKHVINDER KAUR)  
JUDGE

01.04.2026

Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO