

**IN THE COURT OF POONAM BANSAL
ADDITIONAL SESSIONS JUDGE, GURDASPUR**

CIS No. BA/176/2026
CNR No. PBGD01-000427-2026
Date of Order:15.01.2026

Barinder Singh alias Sajan Versus State of Punjab

FIR No.148 dated 17.05.2025
Under Sections 4,5 of Explosive Substances Act 1908,
111,61,2 BNS, 13,14,16,17,18,18-B, 20 of The Unlawful
Activities (Prevention) Act, 1967(Amendment 2012).
Police Station Civil Lines, Batala.

First application for bail under Section 483 BNSS

Present: Shri Parun Bhagowalia Advocate, counsel for
applicant.
Sh. Vikram Kashyap, Ld. Addl. P.P for the State

ORDER

1. This order of mine shall dispose of the application filed on behalf of accused/applicant **Barinder Singh alias Sajan** for grant of regular bail U/s 483 of BNSS.
2. Notice of the application was issued to the State and the police record has been requisitioned.
3. Learned counsel for the applicant has argued that applicant is innocent and has been falsely implicated in the present case. Originally the police has registered the FIR against the unknown person later on police arrested the applicant/accused in the present case vide GD No.48 dated 18.05.2025 and applicant/accused was arrested in this case on 19.05.2025. The allegations made against

the applicant/accused is false, frivolous and vexatious and lack in material substance. Nothing was recovered from the applicant/accused. Whole story of the police is false and concocted one. Recovery, if any, has already been affected from the applicant/accused. There is no evidence to connect the applicant/accused with the alleged offence. The applicant/accused was not present at the time of occurrence. Challan has already been presented in the Court. Conclusion of trial shall take sufficient long time and no purpose would be served by keeping the petitioner behind bars for indefinite period. Accordingly, he has prayed for concession of bail to the applicant.

4. On the other hand, the learned Addl. Public Prosecutor submitted that the allegations against the petitioner are serious in nature. Keeping in view the nature of allegations against the petitioner, present bail application is liable to be dismissed.
5. Rival contentions of both the sides have been heard and the trial court record has been perused with due care and circumspection.
6. As per the contents of FIR, on 17.05.2025 SI Manohar Singh alongwith his police party during patrolling and checking of suspected persons were present at Aliwal Road, where secret informer met him and informed that unknown

persons had thrown a grenade like object in front of Liquor shop near near Fokal Point University with the intention to spread terror, which could disrupt peace and caused loss to the person and property. Since the information was solid and unbiased, ruqa for registration of FIR against un-known persons under Section 4/5 Explosive Substances Act, 1908 was sent through ASI Raj Kumar. During investigation, accused Lovepreet alongwith other persons were nominated and arrested vide GD No.48 dated 13.05.2025 and offence under Sections 111,61,2 BNS, 13,14,16,17,18,18-B, 20 of The Unlawful Activities (Prevention) Act, 1967(Amendment 2012) were enhanced in the present FIR. Applicant/accused was arrested on 19.05.2025.

7. Applicant/accused and other were nominated and arrested vide GD No.48 dated 13.05.2025 and offence under Sections 111,61,2 BNS, 13,14,16,17,18,18-B, 20 of The Unlawful Activities (Prevention) Act, 1967(Amendment 2012) were enhanced in the present FIR. Bail application of main accused namely Lovepreet has already been dismissed by this Court vide order dated 06.11.2025.

Section 43 (D) (5) makes it clear that no person accused of an offence punishable under Chapters IV and VI of the said Unlawful Activities (Prevention) Act, 1976 shall be

released on bail if the court is of the opinion upon case diary or report under Section 173 of the Code that there are reasonable grounds for believing that the accusation against such person is prima facie true. So here jail and not bail has become the rule as far as the allegations under the Unlawful Activities (Prevention) Act, 1976 is concerned. Accused have been charged for hatching criminal conspiracy for committing offences under said Act by raising funds for the purpose of terrorist activities and even as part of their conspiracy one **grenade** was recovered at the spot. **Involvement of applicant/accused stands established with his co accused.**

8. The allegations against the accused-applicant are quite serious one as in the present case one **Grenade** has been recovered from the main accused. **The applicant is one of the conspirator** with the non applicants who do illegal terrorist activities against the country by procuring the money, arms, ammunition and other explosive substance from the terrorist of foreign country. In this manner, nature of the offence is grave and serious one. Moreover, there are every chances of flee from justice by the applicant if at this stage applicant is released on bail keeping in view the nature of the offence against the applicant.

9. Hence, this court is of the considered opinion that

serious allegations have been levelled against the applicant/accused and his co accused. Allegations against the applicant/accused are very serious. **Mere length of custody is no ground for grant of bail in such like matters.** Hence, considering the seriousness and gravity of the allegations specifically levelled against the applicant, no ground is made out to grant concession of bail to the applicant. Accordingly, the present bail application filed by the applicant stands dismissed. However, observations made above are only for disposal of this bail application and would have no bearing on merits of the case. Record of the case be returned and file of bail application be attached with the main challan.

Pronounced
Dated:-15.01.2026.
Prem Kumar, Stenographer-II

(Poonam Bansal)
Additional Sessions Judge,
Gurdaspur (UID No. PB0190)

