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

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CRA-D-969-2026 (O&M)**Date of decision: 20.08.2026**

Nishan Singh

...Appellant(s)**Versus**

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

PRESENT: Mr. Divjot Singh Chadha, Advocate,
for the appellant.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Instant appeal has been preferred against the impugned order dated 29.04.2026 passed by the Addl. Sessions Judge, SAS Nagar, whereby the application for grant of regular bail to the appellant, in case arising out of FIR No.02 dated 11.01.2023 registered under Section(s) 17, 18, 20 of the Unlawful Activities (Prevention) Act, 1967; 120-B IPC, and 25 of the Arms Act at Police Station State Special Operations Cell, SAS Nagar, has been dismissed.

2. As per record, FIR has been registered based on secret information received by DSP Arun Mundan, Police Station State Special Operations Cell, Mohali, to the effect that gangsters Jagdeep Singh @ Jaggu Bhagwanpuria, Amritpal Singh @ Amrit Bal, Pargat Singh and Darmanjot



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Singh are associated with the banned organisation Babbar Khalsa International. The said organisation is being operated by Paramjit Singh @ Pamma (currently in custody). Paramjit Singh @ Pamma is further associated with one organisation, namely Sikhs for Justice (SFJ), which is banned by the Government of India. Said organisation intends to create an atmosphere of terror in India and the State of Punjab by target killings and creating disturbances. The input being from a credible source that Jaggu Bhagwanpuria and Pargat are providing men, arms and ammunition for undertaking such activities, whereas Amrit Bal and Darman Kahlon are financially supporting them in their activities and that there is likelihood of a major incident of violence in Punjab, the above case was registered. The acts and allegations against gangster Jagdeep Singh @ Jaggu Bhagwanpuria, Amritpal Singh @ Amrit Bal, Pargat Singh, Darmanjot @ Darman Kahlon and their associates disclosed *prima facie* offences under Sections 17, 18 and 20 of the Unlawful Activities (Prevention) Act; Section 120-B IPC and Section 25 of the Arms Act. During investigation, the appellant Nishan Singh as well as co-accused Yuvraj Singh (non-applicant) were arrayed as accused in the present case and they were arrested on 17.01.2023. One .32 bore pistol along with 04 live cartridges of .32 bore were recovered from them. One motorcycle, without a registration number, was also recovered. During interrogation, disclosure of appellant Nishan Singh was recorded on 18.01.2023, wherein he disclosed that accused Amritpal Singh @ Amrit Bal had introduced him to Jaspal Singh @ Honey, whose contact number is 7009003299 and thereafter, he talked to Jaspal Singh. The said Jaspal Singh



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informed him that he had stalked a Hindu leader in Khanna and Amrit Bal also sent him ammunition in that regard. Thereafter, Jaspal Singh @ Honey was also nominated as an accused in the case and was arrested on 19.01.2023. During investigation, co-accused Yuvraj Singh (non-applicant) disclosed that he was known to Jagdeep Singh @ Jaggu Bhagwanpuria and that the latter had introduced him to Amrit Bal. During interrogation, Nishan Singh, Yuvraj Singh and Jaspal Singh further disclosed that they were to murder Hindu leaders in Khanna and Mohali and also to kill a comrade leader in Jalandhar and that Amrit Bal had sent them money for the said purpose. Noticing that recovery of weapon had been effected from the appellant Nishan Singh and co-accused Yuvraj Singh, and also that there were specific allegations of creating disturbance and unrest by target killings of some Hindu leaders, the bail application of the appellant was dismissed by Addl. Sessions Judge, SAS Nagar vide order dated 29.04.2026. Hence, the present appeal.

3. Learned counsel appearing on behalf of the appellant contends that the appellant was initially not named in the FIR and there was no basis for the respondent to suspect the appellant or apprehend him. He contends that a .32 bore pistol, along with 04 live cartridges, is alleged to have been recovered from the two persons, i.e. appellant Nishan Singh and Yuvraj Singh, who were both riding the same motorcycle, that was being driven by the appellant whereas Yuvraj Singh was the pillion rider. He further contends that the appellant was taken into custody on 17.01.2023 and he has already undergone an actual custody of more than 03 years and 07 months.



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Investigation in the present case is complete and only one out of the 16 prosecution witnesses has been examined so far.

4. Learned counsel further vehemently argued that the appellant is stated to be an operative acting at the behest of Jaggu Bhagwanpuria; however, the said accused has already been discharged by the trial Court vide order dated 12.01.2026. The essential link of the appellant being a member of a gang being operated by Paramjit Singh @ Pamma through Jaggu Bhagwanpuria is thus not established.

5. He further submits vehemently that there is no evidence on record on the basis whereof any money trail between the appellant or any other accused could be stated to have been established by the prosecution. Thus, the only allegation levelled is that the weapons were collected to carry out an offence, and undisputedly no offence has been committed by the appellant.

6. Learned counsel for the State, however, contends that the disclosure statement of the appellant was recorded and that recovery of a weapon has also been effected along with one motorcycle, without a number plate. He also contends that there is a voice recording transcript between the appellant herein with Amrit Bal and that there is some reference to the weapons being supplied to the appellant herein. He further contends that secret information of target killings was already available and the appellant confessed that they were to commit the murders of Hindu leaders to spread social unrest and create law and order disturbance in the State of Punjab.



7. Learned counsel for the State, however, does not dispute the period of custody already undergone by the appellant and the stage of trial. He also does not dispute that only one out of 16 prosecution witnesses has been examined so far.

8. In the present case, learned State counsel also does not dispute that Jaggu Bhagwanpuria has been discharged by the trial Court since he was already in custody.

9. We have heard the counsel appearing for the respective parties and have gone through the documents appended along with the present appeal.

10. It is evident from the perusal of the record that the appellant has already undergone actual custody of 03 years and 07 months and only one out of 16 prosecution witnesses has been examined so far. The case of the prosecution is primarily based upon the disclosure statement of the appellant herein. However, there are arguable issues regarding the admissibility of the aforesaid disclosure and as to whether the same would fall within the parameters of Section 27 of the Evidence Act or whether it would be a confession of the accused, while in custody and thus, be hit by Section 25 of the Evidence Act. The only recovery, which has been effected, was a .32 bore pistol along with 04 live cartridges; however, the said recovery also preceded the alleged disclosure statement by the appellant herein. State has failed to refer to any evidence as would establish the link of the appellant with the alleged gangsters apart from their own admission and confession. No financial trail or trail of weapons has been traced or informed.



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11. It is further pointed out that there are no criminal antecedents of the appellant apart from one prison offence, on account of some scuffle, that took place while in the jail.

12. Without commenting on the merits of the case and taking into consideration the period of custody undergone by the appellant, nature of evidence, his antecedents, the stage of trial and that arguable issues that arise with respect to the admissibility of the disclosure statement, we deem it appropriate to enlarge the appellant on regular bail to the satisfaction of the trial Court.

13. The instant appeal is ***allowed*** and the appellant is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

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

15. 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.

(VINOD S. BHARDWAJ)
JUDGE

20.08.2026
sonia

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No