

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

2.

OA (Appeal) 224/2025

Hav/Clk (SD) Arvind Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Anand Kumar, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

O R D E R
12.02.2025

Issue notice.

2. Mr. Waize Ali Noor, learned counsel appearing on behalf of the respondents, accepts notice. Let the counter affidavit be filed within a period of four weeks.

3. The question of exercising jurisdiction under Section 15(3), even without challenging the order of conviction pending confirmation, is left open to be decided if required at the time of hearing. As far as the grant of interim bail pending finalization of these proceedings is concerned, it is noted that the appellant has only been convicted with a sentence of 18 months. Taking into account the totality of circumstances and the period of sentence already undergone by the applicant, we consider it a fit case, where, pending

confirmation and deciding the issue raised in this application, we can grant bail to the appellant in exercise of the powers available to us under Section 15(3) as an interim measure.

4. Accordingly, the appellant shall be released on bail, subject to the following conditions:

- a) That the appellant shall furnish a bail bond in the sum of Rs. 5,000/- (Rupees Five thousand only) with one surety for the like amount to the satisfaction of commanding officer of unit in question.
- b) That the appellant will not commit any offence while on bail and shall not indulge in any act of violence by words or physical act against any officer of the Indian Army.
- c) That the appellant will file an affidavit giving their local address as well as the permanent address along with phone number, before the Joint Registrar (Judicial) of this Tribunal within one week of his release.
- d) That the appellant will not try to approach any of the witnesses who have testified against them with a view to threaten or intimidate them.

e) That the appellant shall also surrender his passport, if any, to the Joint Registrar (Judicial), Armed Forces Tribunal (PB) New Delhi.

5. That apart, it is directed that at the stage of confirmation of the sentence as and when notice and information received by the appellant, the appellant shall appear before the Competent Authority and cooperate in the confirmation proceedings in accordance with Statutory Rules and Regulations.

6. List again on **09.04.2025**.

7. Let a copy of this order be provided '*DASTI*' to learned counsel for the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[RASIKA CHAUBE]
MEMBER (A)**

/Ps/
OA (Appeal) 224/2025