

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

15.

OA (Appeal) 3205/2025

Cpl Sandeep Singh (In Custody) Thru wife Mrs. Rakhi Tomar
Pairokar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kumar Gupta, Advocate
For Respondents : Ms. Deepti Kathpalia, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
08.10.2025

Issue notice to the respondents to show cause to why the prayer made by the applicant in this Application be not granted.

2. The applicant was subjected to District Court Martial and on being found guilty, vide findings recorded on 25.09.2025 is sentenced to rigorous imprisonment for one year, dismissed from service and reduced in rank. He has been found guilty under various provisions of the Army Act. To facilitate him to file an appeal, he has filed this application under Section 15 of the Armed Forces Act, 2007, and the relief claimed in para 8 read as under:-

“A. That the instant appeal may be allowed to be filed for limited purpose of suspension of sentence and enlarging the appellant on bail; and/or

B. That the appellant be permitted to file detailed appeal after the receipt of DCM proceedings by the Respondents; and/or

C. Applicant in the light of the above facts and circumstances may kindly be released on Bail/Parole, after suspension of sentence; and is ready to oblige any condition imposed by the Hon'ble Court on his Bail.

D. Direct the Respondents to supply the copy of Court Martial proceedings, SoI, Col and other documents related to disciplinary proceedings including Rule-24 Performa etc; and/or any other just and equitable order in the interest of justice may kindly be passed.”

3. The instant Application has been filed for suspension of sentence and grant of bail. As far as prayer in clause 8(b) and 8(d) are concerned respondents are directed to supply to the applicant the proceedings of the District Court Martial along with relevant documents as are permissible under law within a period of one week from today to enable the applicant to take steps for preparing the appeal and take recourse to such remedy as may be available to him.

4. After promulgation of the sentence, the impugned order, filed by the applicant, indicates that he has been kept under attachment. The applicant is seeking bail/parole/suspension of sentence. However, applicant's own showing indicates that he has been taken into military

custody at the time of promulgation of the sentence by the District Court Martial on 25.09.2025.

5. Before granting bail to the applicant and suspension of sentence, it would be appropriate to issue notice to the respondents for the said purpose and hear them before passing any order with regard to the grant of bail and suspension of sentence. Accordingly, respondents to show cause as to why bail/suspension of sentence, at this stage, should not be granted to the applicant. The respondents may file their objections or reply, if any, in this regard, within two weeks.

6. List the matter on 29.10.2025.

Order **dasti**.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

/vb/