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

8.

OA (Appeal) 3448/2025

Sep Gurpreet Singh ..... Applicant
(Through Shri Manpreet Singh)
Versus
Union of India & Ors. ..... Respondents

For Applicant : Mr. Rajiv Manglik, Advocate
Ms. Sonal Shoran, Advocate
For Respondents : Mr. Anil Gautam, Sr. CGSC

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

ORDER
29.10.2025

OA (Appeal) 3448/2025

Invoking the jurisdiction of this Tribunal under Section 15 (3) of the Armed Forces Tribunal, 2007, the appellant has filed this application challenging the findings of sentence and the order passed in the Revision Proceedings of the District Court Martial (DCM) as is evident from Annexure A-1 dated 04.08.2025.

2. Initially, the appellant was convicted to six months imprisonment, however, after revision it has been increased to one year. When the appellant filed this application, the confirmation proceedings were pending and today, when the matter was taken up, learned counsel for the respondents, on

advance notice, produced before us the proceedings of confirmation held on 28.10.2025 wherein the jail sentence of one year has been confirmed and the committal order for committing the appellant to Central Jail, Ambala City has been issued.

3. Taking note of the fact that the jail sentence of the appellant is only one year and in the committal order itself it is indicated that the appellant during the pre-trial period has been in custody for 183 days and which is to be set off against the period of sentence, we deem it appropriate to grant bail to the appellant, at this stage, to enable him not only to file a regular appeal under Section 15 of the Armed Forces Tribunal Act, 2007, but also in the light of the law laid down by the Hon'ble Supreme Court in the case of ***Aasif @ Pasha*** Vs. ***State of U.P. & Ors.*** (Criminal Appeal No.3409/2025 decided on 06.08.2025) and the fact that hearing of this appeal in the near future would not be possible.

4. Accordingly, as the appellant has been committed to Central Jail, Ambala City, we direct the Superintendent, Central Jail, Ambala City to release the appellant on bail on his furnishing a personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand Only) with one surety of the like

amount to the satisfaction of the Commanding Officer, 11 Grenadiers subject to the following conditions:

(a) That the appellant, if holder of a passport, shall surrender the same to the Commanding Officer, 11 Grenadiers, else he shall file an affidavit to the effect that he does not hold a passport.

(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 not try to approach any of the witnesses who have testified against him with a view to threaten or intimidate them.

5. The appellant is also directed to file an undertaking by way of an affidavit before the Jail Superintendent who shall forward a copy of the undertaking by way of an affidavit to the Competent Authority to the effect that before filing of the appeal and grant of regular bail, he shall abide by any order or direction that may be issued by the Competent Authority with regard to his presence or appear before any authority and the appellant shall also take steps for filing of the appeal within the period of limitation.

6. The bail granted to the appellant shall remain in operation till the filing of a regular appeal and passing appropriate order on the same.

7. That apart, for the purpose of enabling the appellant to file an appeal, the respondents are directed to provide the copies of the DCM proceedings as are eligible to be granted to him as per rules, if not provided earlier.

8. With the aforesaid, the OA stands disposed of.

9. A copy of this order be given *'DASTI'* to the learned counsel for the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

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OA (Appeal) 3448/2025