

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

47.

OA(Appeal) 311/2025

Ex Spr/Clk (SD) Bhim Singh	.....	Applicant
Versus		
Union of India & Ors.	.....	Respondents
For Applicant	:	Ms. Aditi Laxman, Advocate
For Respondents	:	Mr. K K Tyagi, Sr CGSC

WITH

48.

OA(Appeal) 2032/2024

Hav/Clk (SD) Bhim Singh thru Pairokar Sh Raj Kumar	.....	Applicant
Versus		
Union of India & Ors.	.....	Respondents
For Applicant	:	Ms. Aditi Laxman, Advocate
For Respondents	:	Mr. K K Tyagi, Sr CGSC

WITH

49.

RA 48/2024 in OA 2032/2024

UOI & Ors.	.....	Applicant
Versus		
Hav/Clk (SD) Bhim Singh thru Pairokar Sh Raj Kumar	.....	Respondents
For Applicant	:	Mr. K K Tyagi, Sr CGSC
For Respondents	:	Ms. Aditi Laxman, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE LT. GEN. C. P. MOHANTY, MEMBER (A)

ORDER  
23.05.2025

OA No. 2032/2024 – This application has been filed under Section 15 (3) of the Armed Forces Tribunal Act, 2007 seeking release of the applicant on bail from Military custody. It is noted that by a detailed order dated 06.08.2024, the applicant was already granted bail in the form of suspension of sentence and he

is presently on bail. However, in the said order the period of Military custody was erroneously recorded as 185 days. The respondents have filed Review Application No. 48/2024 contending that the actual period of custody was 74 days, not 184 days. Upon consideration, we direct that the order dated 06.08.2024 be corrected to reflect the accurate period of custody as 74 days (including the day of release). As the applicant has already been granted bail the same shall continue to remain in operation. The precise duration of custody is immaterial in the present context given that the applicant was awarded a sentence of one year after trial. In such circumstances, this is a fit case for suspension of sentence, irrespective of the exact duration of Military custody.

2. Accordingly, the bail granted to the applicant on 06.08.2024 is confirmed and shall remain in force during the pendency of OA No. 311/2025 wherein the applicant has challenged the conviction and sentence awarded after trial.

3. In view of the above, both applications i.e., OA 2032/2024 and RA 48/2024 stand disposed of. The issue of the applicant's conviction and sentence shall be considered in the final hearing of OA No. 311/2025, which is already admitted. The respondents have not yet filed their reply. They are directed to file their counter affidavit within eight weeks. Rejoinder, if any, be filed within two weeks thereafter. Further, it is noted that in OA No. 2032/2024 this Tribunal had already granted bail and suspended the sentence. The said order shall continue to remain in force and

shall be treated as part of the present proceedings for the purpose of suspension of sentence and grant of bail. Accordingly, no separate order is required to be passed on bail in the present application.

4. List OA (Appeal) 311/2025 again on 19.08.2025.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[LT. GEN. C. P. MOHANTY]  
MEMBER (A)

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