

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

11.

OA (Appeal) 3752/2025 WITH MA 5593/2025 & 5609/2025

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

For Applicant : Mr. Anand Kumar & Mr. Akshit Anand,
Advocates

For Respondents : Mr. K K Tyagi, Sr. CGSC

CORAM

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

O R D E R
25.11.2025

MA 5609/2025

This appeal is admitted for hearing. Heard on MA 5609/2025 and an application filed under Section 15 (6)(e) of Armed Forces Tribunal, Act 2007 for suspension of sentence and grant of bail, after his conviction by the District Court Martial and pending promulgation and confirmation proceedings.

2. The appellant invoked the jurisdiction of this tribunal in OA (Appeal) 224/2025 and on 09.04.2025, a detailed order was passed by this Tribunal and pending confirmation on the sentence bail was granted to the appellant. Now, sentence has been confirmed on 25.03.2025 and the appellant continues to be on bail granted by this Tribunal on 09.04.2025, for the reasons already recorded in the order passed by us on 09.04.2025 and the period of sentence already undergone by the appellant which now, after re-calculation is about one year and one month as per respondents

themselves filed in MA 4250/2025 in OA 224/2025. It was considered by a Co-ordinate Bench of this Tribunal only yesterday.

3. We are of the considered view that the appellant's period of custody can be safely concluded to be one year and one month and the sentence is only of one year three months. For the reasons already elaborated and considered by us in various cases including the judgement of the Hon'ble Supreme Court in Aasif @ Pasha vs. State of U. P. & Ors., [Criminal Appeal No. 3409 of 2025, decided on 06.08.2025], it is a fit case where the suspension of sentence and bail should be granted to the appellant. Accordingly, as the appellant is already on bail by virtue of the order passed by this Tribunal in OA 224/2025 on 12.02.2025.

4. The applicant shall continue on bail on the same terms and conditions subject to renewal of the bail bond and the conditions to the Joint Registrar (Judicial) within 15 days from today.

5. MA 5609/2025 stands disposed of accordingly.

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6. Let counter affidavit be filed within six weeks. Rejoinder, if any, may be filed within two weeks thereafter.

7. List this matter again on **03.02.2026**.

8. A copy of this order be provided ***DASTI*** to learned counsel for the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[REAR ADMIRAL DHIREN VIG]
MEMBER (A)**