

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.38727 of 2020
Date of Decision: 23.12.2020

(Heard through video-conferencing)

Prabhjot Singh @ Jyoti

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Kuldeep V. Singh Ahluwalia, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

MEENAKSHI I. MEHTA J. (ORAL)

By way of the instant petition, the petitioner seeks the relief of regular bail in the criminal case arising out of the FIR bearing No.75, as registered at Police Station Garhdiwala, District Hoshiarpur, on 06.12.2017 under Sections 302, 506, 148, 149, 120-B of the Indian Penal Code and Section 25/54/59 of the Arms Act (Annexure P-1) while averring, *inter-alia*, therein that while in Jail, he has recently been attacked by and has sustained injuries at the hands of the members of the rival group, his co-inmates and FIR (Annexure P-2) has also been registered regarding the said incident and thus, there is a threat to his life, while remaining in Jail.

However, learned State counsel has submitted the reply, by way of short affidavit of Baljit Singh, PPS, Superintendent, Central Jail, Kapurthala, in compliance of the order passed by this Court on 21.12.2020, wherein it has been deposed that presently, the petitioner is lodged in barrack No.3 and the inmates, who had attacked the petitioner, have been shifted to the other Jails of Punjab and the petitioner is under proper security and there is no threat to his life.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

At the very outset, it is pertinent to mention here that the earlier petition bearing **CRM-M No.23007 of 2020**, as preferred by the petitioner for seeking the relief of regular bail, had been dismissed by this Court on 22.09.2020 vide order Annexure P-6. The only fresh ground that has arisen subsequent to the dismissal of the afore-said application, is the afore-alleged incident wherein the petitioner was attacked by his co-inmates belonging to the rival group and is stated to have sustained injuries. However, as is explicit from the contents of the afore-mentioned short affidavit of the Jail Superintendent concerned, the petitioner is being kept under proper security and there is no threat to his life.

No doubt the afore-alleged incident resulting to the injuries on the person of the petitioner at the hands of his co-inmates is a matter that has to be taken care of by the concerned Jail authorities, who are supposed to upkeep the safety and security of the Jail inmates but however, the fact remains that it does not suffice at all to afford a valid ground to the petitioner to seek the relief of being released on regular bail.

Resultantly, the present petition is hereby dismissed. However, the concerned Jail authorities are directed to take all the necessary steps, in accordance with law and the prescribed Rules, to ensure the safety of the petitioner while in Jail.

December 23, 2020
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No