



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-9095-2025

Reserved on: 17th July, 2025

Pronounced on: 23rd July, 2025

Nirmal Singh @ Nimma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Deepender Singh Additional Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 89 dated 27.02.2023 registered under Sections 302, 307, 148 and 149 of IPC and Section 52 of Prisons Act (Sections 120-B, 109, 115, 323, 324 of IPC, Section 52-F of Prisons Act and Section 3 of Prevention of Damage of Public Property Act added later on) at Police Station Goindwal Sahib, District Tarn Taran.

2. The aforementioned FIR was registered on the basis of a complaint submitted by Additional Superintendent, Central Jail, Shri Govindwal Sahib, on 27.02.2023, alleging therein that some dangerous prisoners and accused involved in the murder of singer Sidhu Moosewala were lodged in security ward No.3 of the Jail. Several personnel of Battalion



No.5 commando under the charge of ASI Joginder Singh, Batch No. 120 were deployed in that for supervision. On the noon of 26.02.2023, the security personnel were conducting process of afternoon unlocking of the inmates in that ward and during that process, the petitioner and the co-accused, who were lodged therein, entered inside the block No.1. They were holding iron *pattis* and intended to engage in a fight with the inmates of that block, which included Manpreet Singh @ Bhau, Sachin, Ankit Lathi, Kashish, Rajender @ Joker, Arshad Khan, and Malkit Singh. A scuffle took place between them and then they opened attack upon each other. Three inmates namely Mandeep Singh @ Tufan, Keshav Kumar and Manmohan sustained grievous injuries. The complainant rushed towards the site on receipt of information. Ambulance was arranged and the injured were taken to civil hospital. The injured Mandeep Singh @ Tufan and Manmohan were declared to be brought dead. After registration of FIR, investigation proceedings were initiated. Weapons of offence and other incriminating material were recovered from the spot. The statement of one injured prisoner namely Keshav Kumar was recorded, on the basis of which the petitioner along with the other assailants was nominated as accused. He was formally arrested in this case on 05.05.2023 after obtaining his production warrant. It was revealed that the petitioner along with the co-accused Gagandeep Singh and Manpreet Singh had instigated the victim Mandeep Singh and Manmohan as well as injured Keshav Singh to quarrel with Manpreet Singh @ Bhau, who was a member of Lawrence Bishnoi and Goldy Brar group whereas the Mandeep belonged to Jaggu Bhagwanpuria group, who is also a gangster. It was also revealed that the petitioner had provided a mobile



phone to the co-accused in which the video pertaining to the incident had been uploaded. It was also revealed that damage to the jail periphery wall and the premises had also been caused, offences under Sections 109 and 115 of IPC, Section 52-A of Prisons Act and Section 3 of Prevention of damage of property Act has also been added. Investigation has since been completed and challan has been filed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case and is in custody since 05.05.2023. There is delay of one day in lodging of the FIR. No specific role or injury to any of the victims, have been attributed to him. The allegations against him are only of instigating the assailants which are not based upon any evidence. Trial is likely to take time. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that there are serious and specific allegations against the petitioner. It is also submitted that the petitioner is a habitual offender since as many as sixteen cases had been registered against him most of which are under trial. There are chances of his committing similar offences, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have instigated the prisoners of two different groups as lodged in the jail to fight with each other and the said instigation had culminated in homicidal death of two victims and sustaining injuries by one of the jail inmates. He has



criminal antecedents. The allegations against him are grave in nature. In view of the above discussed facts and circumstances, the petitioner does not deserve to be extended benefit of bail. It is well settled law that mere long period of incarceration in jail would not be *per se* a ground for grant of bail, if the offence is serious in nature. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*