

CRM-M-9615-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9615-2025
Reserved on: 01.05.2025
Pronounced on: 13.05.2025

Jatinder Singh @ Sonu Sood ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Avtar Singh Khinda, Advocate
for the petitioner.

Mr. Vikas Sunak, Asst. AG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
175	13.07.2023	Kotwali, District Kapurthala	160, 302, 323, 324, 148, 149, 120B, 186, 353 & 332 IPC and 42 of Prisons Act (Offence u/s 303, 325 & 326 IPC added later on)

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Caption of the FIR reveals that 303 IPC was added later on, however it is clarified that in *Mithu vs. State of Punjab (AIR 1983 SC 473)*, Section 303 IPC was struck down by the Hon’ble Supreme Court of India, as such for all purpose, main Section involved is Section 302 IPC.
3. Per paragraph 14 of the bail petition, the accused declares the following criminal history:-

Sr. No.	FIR No.	Date	Offenses	Police Station
1	67	13.10.2020	307, 323, 324, 341, 506, 148, 149, 120b ipc	Rawalpindi, District Kapurthala
2	78	05.12.2020	436, 427 IPC	Rawalpindi, District Kapurthala
3	102	24.07.2022	25/54/59 of Arms Act	Goraya, Distt. Jalandhar Rural
4	179	13.07.2023	160, 302, 186, 353, 332,	Kotwali, Distt.

CRM-M-9615-2025

			323, 324, 148, 149, 120B IPC	Kapurthala
5	59	05.04.2023	420, 465, 467, 468, 471, 205, 120B IPC	City Phagwara, Distt. Kapurthala

4. The facts and allegations are taken from Status report dated 23.03.2025, which reads as follows:

“That after the registration of the above said FIR, thorough investigation was conducted and from the footage of the CCTV cameras at the spot, it has transpired that on 13.07.2023 at about 7.30 AM, about 30-35 inmates in collusion with each other gathered at Phase-2 gate from their barracks, at Central jail Kapurthala, out of which 31 prisoners have already been identified, out of whom, some of the inmates had weapons and some were empty handed. That 21 inmates crossed the gate of ate A Phase-2 and proceeded towards security ward-E. On the way, on being stopped by the police and security forces, they scuffled with them as well. These prisoners entered the Ward No. 17 of the Security Ward E and had gravely beaten Simranjit Singh @ Simar son of Resham Singh, and his 3 companions Surinder Singh @ Jimmy son of Mann Singh, Amanpreet Singh @ Sonu son of Sarabjit Singh and Varinder Pal Singh @ Raja were also beaten. And that Simranjit Singh @ Simar was seriously Injured. The remaining 11 inmates along with about 7-8 unknown inmates stopped the police personals from closing the gate of Phase-2, so that there is no disturbance to their fellow inmates while returning from security Ward-E after the incident.

The injuries were inflicted upon the deceased and injured prisoners with sharp edge Iron Weapon- Patti type on the head and other parts of Simranjit Singh. Subsequently during the treatment, the above said injured Simranjit succumbed to his injuries at Guru Nanak Medical College Amritsar on 13.07.2023 after which a case was registered and an investigation was carried out.

5. That the present Petitioner was nominated in this case on 19.07.2023 vide Report no. 32, on the basis of letter no. 2760 dated 18.07.2023 received from the Superintendent, Central Jail, Kapurthala, for nominating 10 more accused prisoners for their involvement in the incident. True translated typed copy of the letter bearing no 2760 dated 18.07.2023 attached herewith as Annexure R-1.”

5. Petitioner seeks bail on parity with Ashmandeep Singh who was granted bail by

CRM-M-9615-2025

this Court vide order dated 29.10.2024 passed in CRM-M-9758-2024. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

6. The State's counsel opposes bail and refers to the reply.

REASONING:

7. After analysing the above arguments, it would be appropriate to refer to para 9 of the status report, which reads as follows:-

“Role of the Petitioner and Evidence against the Petitioner

9. That it is respectfully submitted that from the final investigation proceedings and the Final Report, and from the CCTV camera footage, It was found that the present Petitioner was nominated in this case on 19.07.2023 vide Report no. 32, on the basis of letter no. 2760 dated 18.07.2023 received from the Superintendent, Central Jail, Kapurthala, for nominating 10 more accused prisoners for their involvement in the incident.

During the investigation it was also found that the present petitioner accompanied by 7-8 other unknown prisoners have not been verified to have gone to the place of the Incident, who remained at or near the gate of Phase-2 and prevented the closing of the gate of Phase-2 so that their fellow prisoners could go back to their barracks after carrying out the incident in security ward E. He has a clear motive to commit the crime and played an active role in carrying out the murder. The offence is particularly serious, as the murder was premeditated and carried out within the confines of the jail.”

8. Perusal of the para 9 of the status report clearly reveals that petitioner was actively participated in the above captioned murder along with 7-8 prisoners by ensuring that none goes to save them by standing on Gate No.2. Further had a motive which is mentioned in para 9(iii) of status report, which reads as follows:-

“Cause of Rivalry:

The cause for the rivalry is that the next to the village of Simranjit Singh @ Simar S/o Resham Singh R/o Dhirpur Police Station Kartarpur, District Jalandhar, is the village of co-accused Vijay Kumar S/o Dalvir Singh R/o Bhikha Nangal Police Station Kartarpur, District Jalandhar. With whom, he already had a dispute, due to which, Simranjit Singh and his brother Sukhwant Singh had beaten him up in the year 2019 and shot him in the leg, in this regard an FIR no. 20 dated 21.03.2019 U/s 307,341,506,148,149 IPC and u/s 25 of the Arms Act was registered on the

CRM-M-9615-2025

statement of Vijay Kumar's father Dalbir singh S/o Pyara Singh, R/o Bikha Nangal, at the PS. Dhilwan, District Kapurthala. That Sandeep Singh @ Sathi S/o Boota Singh who was close associate the said Vijay Kumar who was also beaten by the deceased Simranjit Singh and his Brother Sukhwant Singh along with some other associates, and Sandeep Singh @ Sabi had sustained serious injuries, whereupon, on the above statements of Sandeep Singh, an FIR no. 223 dated 29.09.2020 u/s 307, 323, 341, 506, 148, 149 IPC and u/s 3 & 4 of SC/ST Act was registered at the Police Station Kartarpur, District Kapurthala. Due to their ongoing rivalry in the aforementioned cases, about 5-6 days before the present incident when friend of Vijay Kumar, Ranjit Singh @ Raja resident of Chakhiara Police Station Adampur, District Jalandhar and Kamalpreet Singh @ Kamal S/o Inderjit Singh R/o of Daroli Police Station Adampur, District Jandhar went to the hearing at Jalandhar, then at that time, the deceased Simranjit Singh @ Simar also went to the hearing, whereby he along with his brother Sukhwant Singh and other 10-15 associates had beaten up and inflicted injuries to Ranjit Singh Raja and Kamalpreet Singh @ Kamal in the Bakshi Khana of Court Complex during the hearing at Jalandhar. However, Ranjit Singh @ Raja and Kamalpreet Singh refused to take legal action against them, regarding which, Rapat No. 39 dated 06.07.2023 was registered in general dairy at Police Station New Baradari Police Station Commissionerate Jalandhar and on return to the Kapurthala Jail, Rapat was registered in general dairy as well. That is why, Vijay Kumar, S/o Dalvir Singh, R/o Bikha Nangal, Police Station Kartarpur, District Jalandhar; Sandeep Singh @ Sabi S/o Buta Singh, Kamalpreet Singh @ Kamal, S/o Inderjit Singh, R/o DaroliKalan Police Station Adampur Jalandhar and Ranjit Singh @ Raja S/o Amarjit Singh R/o Chakhiara Police Station Adampur District Jalandhar along with their other inmates planned to beat Simranjit Singh @ Simar in jail and committed the present incident on 13.07.2023 by entering the security Ward-E with his associates Raj Kumar @ Raju S/o Vijay Kumar R/o Mohalla Raika, Police Station City Kapurthala, Sajjan S/o Ashok R/ Street No-6 H. No. -660 Mohalla, SantokhPura, Village Lamma Pind Police Station Division number-8 District Jalandhar and other accomplices.”

9. Given above, petitioner is not entitled to bail on merits and petitioner is also not entitled to bail on parity. It is for the reason that the co-accused/Ashmandeep Singh, to whom this Court had granted bail not participated directly or indirectly in the commission of offence but merely was present at the spot. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not

CRM-M-9615-2025

make out a case for bail. The impact of crime would not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

10. The petitioner's custody of around 01 year & 08 month cannot be termed prolonged, given the minimum sentence prescribed for the offense, which is life imprisonment.

11. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

12. **Petition dismissed.** All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

13.05.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.