

CRM-M-9739-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9739-2025
Reserved on: 01.05.2025
Pronounced on: 19.05.2025

Sanjeev Kumar alias Nannu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Brijesh Nandan, 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, Punjab	160, 302, 303, 323, 324, 325, 326, 332, 186, 353, 148, 149, 120B IPC and 42 of Prisons Act

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 439 CrPC, seeking regular bail.
2. Petitioner is silent about his criminal history, however as per para 9 of the reply as well as custody certificate, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	160	13.09.2019	22/61/85 of NDPS Act and 25/54/59 of Arms Act	Adampur
2	137	01.11.2022	307/353/186/148/149 IPC and 25/27/54/59 of Arms Act	Bhogpur
3	160	24.09.2022	323, 324, 452, 34 IPC	Kartarpur
4	72	18.05.2023	419/420/465/467/468/471/120B IPC	Navi Baradari
5	129	11.07.2018	457/380/411 IPC	Kartarpur, District Jalandhar
6	65	03.06.2019	25 of Arms Act	Kartarpur, District Jalandhar
7	73	10.06.2019	25 of Arms Act	Kartarpur, District Jalandhar

3. The facts and allegations are taken from the reply dated 25.03.2025, which reads

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as follows:

“3. That vide letter No.1526-CTR dated 13.07.2023, received from the then Jail Superintendent, Central Jail, Kapurthala the above said FIR was registered against 22 prisoners by name and other prisoners. On the basis of the information supplied through above letter by the jail authorities a thorough investigation was conducted. The CCTV footage of the occurrence reveals, that on 13.07.2023 at about 7.30 AM, about 30-35 jail inmates in collusion in furtherance of the common object gathered at gate of Phase-2 from their barracks. Many of them were armed with deadly sharp and blunt weapons. The inmates crossed the gate of Phase-2 and proceeded towards security ward-E and had a scuffle with the security staff of the Jail and then entered Ward No. 17 of the Security Ward-E and inflicted injuries to Simranjit Singh @ Simar son of Resham Singh, and three of his companions namely Surinder Singh @ Jimmy son of Mann Singh, Amanpreet Singh @ Sonu son of Sarabjit Singh and Varinder Pal Singh @ Raja. They caused severe grievous injuries to Simranjit Singh @ Simar. Some of the inmates who were part of the conspiracy to achieve the common object of causing injuries to Simranjit Singh @ Simar and his supporters stopped the police personnel from closing the gate of Phase-2, so that their fellow inmates come back safely after accomplishing the task.

Later, during the treatment, the above said injured INranjit Singh @ Simar succumbed to his injuries at Guru Nanak Medical College Amritsar on 13.07.2023.

That during the investigation it was found that the present Petitioner accompanied by 7-8 other unknown prisoners have 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. That other inmates who had crossed the gate inflicted serious injuries with deadly weapons on the person of Simranjit Singh alias Simar r/o Dhirpur, District Jalandhar and three of his companions who were kept by jail authorities in Ward no. 17 in the jail. The petitioner and his companions in order to end the deceased hatched a conspiracy and decided to eliminate him and in furtherance of the common object came out of the barracks in the shape of mob armed with sharp and blunt deadly weapons and entered into Barricade no. 17 to cause murder of Simranjit Singh and to cause injuries to three companions of the deceased. The motive behind the occurrence is old

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rivalry between the above hardened criminals with the deceased.”

4. 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. He further prays for bail on parity with co-accused.

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

REASONING:

6. The evidence collected against the petitioner clearly points out petitioner's involvement and intention to cause murder of Simranjit Singh and to cause injuries to three companions of the deceased. Keeping in view the serious nature of offence and massive criminal history, petitioner is not entitled to bail. He is also not on parity with co-accused who has been granted bail as role of the petitioner is different.

7. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not 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.

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

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

10. **Petition dismissed.** All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

19.05.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.