



CRM-M-37657-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 03.02.2026

Sukhwinder Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Brijesh Nandan, Advocate
for the petitioner(s).

Mr. Iqbal Preet Singh, AAG Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sukhwinder Singh	175	13.07.2023	160, 302, 303, 323, 324, 325, 326, 332, 186, 353, 148, 149, 120-B IPC and 42 of Prisons Act	Kotwali	Kapurthala

2. Admittedly, the offence has taken place when the petitioner and all other accused were inside jail in other criminal cases.

3. The facts and allegations are being taken from the status report dated 30.09.2025 filed by the State, which are reproduced here under:

10. That no specific injury or individual weapon is attributed to petitioner Sukhwinder Singh. However, he was part of the unlawful



assembly which was armed with deadly weapons, and he actively participated in achieving the common object of causing death to Simranjit Singh and injuries to his associates.

D. The evidence based on which the petitioner was arraigned as an accused

11. That the petitioner was arraigned as an accused in the FIR on dated 19.07.2023 based on Letter No. 2760 dated 18.07.2023, submitted by the jail authorities. On the date of the incident, among the group of inmates who exited their barracks were armed, and moved together toward the ward where the deceased and others were attacked. The CCTV footage allegedly shows a mob, proceeding from the barracks and assaulting the deceased.

E. The evidence against the petitioner

12. That the evidence against the petitioner includes his presence and participation in the unlawful assembly as seen in CCTV footage and identification by jail officials during investigation. His name specifically mentioned in the report by the SIT. Although no specific injury is attributed to him, his active participation in the conspiracy and execution of the common object is established by the above evidence.

F. The role of the petitioner

13. That as per the final report/Challan under Section 173 Cr.P.C/193 BNSS, the present petitioner namely Sukhwinder Singh was accompanying the other accused, who went to give injuries/beatings to Simranjit Singh @ Simar. His presence at the place of occurrence i.e. inside the security ward-E has been confirmed in the final report/ Challan after considering the evidence on record. The copy of the Letter No. 1526- CTR dated 13.07.2023 written by the jail authorities which became the basis of the FIR. He was a member of the mob of 30-35 inmates who, in furtherance of a premeditated conspiracy and with a common object, gathered at Gate of Phase-2 armed with deadly weapons. This unlawful assembly led to infliction of fatal injuries to Simranjit Singh, resulting in his death



during treatment. The petitioner's role was crucial in the execution of this unlawful assembly.

G. Petitioner's criminal antecedents

14. That following are the details of the FIRs registered against the present petitioner:

i.FIR no. 148 dated 29.06.2016 U/s 22 NDPS ACT registered at PS Mehtiana District Hoshiarpur, the said case is under trial in the Court.

FIR no. 161 dated 06.08.2018 U/s 25 Arms Act, registered at PS Adampur District Jalandhar, the said case under trial in the Court.

4. From the details mentioned in the status report, it appears that petitioner did not cause any injury to the deceased and moreover, the allegation of hatching conspiracy or being present there at the gate of Phase-2 of garage and purpose of his presence, would be required to be established by the prosecution alongwith the motive behind it. The petitioner was arrested in the present case on 13.07.2023.

Out of total 46 prosecution witnesses, none has been examined till date (as per status report dated 30.09.2025), thus, petitioner is inside jail for the last more than a period of more than 02 years, 05 months' without there being any start of process of recording of evidence of prosecution. In regard to the registration of the other criminal cases, it would be worth noticing that co-accused of the petitioner namely Vikas Kalyan @ Nannu, against whom also four criminal cases were registered and also was found involved almost with the similar kind of role has been extended the concession of bail by Coordinate Bench of this Court vide order dated 22.01.2025 passed in CRM-M-58770-2024. The other co-accused namely Gopal Kumar has also been granted bail by this Court vide order

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dated 24.01.2025 passed in CRM-M-57021 of 2024. Another co-accused namely Rahul Kumar alias Rahul Loch has also been granted bail by this Court vide order dated 16.01.2026 passed in CRM-M-51237 of 2025. Sajan (in CRM-M-22186-2025), Gurjeet Singh and Davinderpal Singh @ Bugga (in CRM-M-30110-2025), Manish Kumar alias Khanna (in CRM-M-46479-2025), Kamalpreet Singh alias Kamal (in CRM-M-6973-2025), Sanjeev Kumar @ Nannu (in CRM-M-69761-2025), Jatinder Singh @ Sonu (in CRM-M-69782-2025) and Suraj Kumar (in CRM-M-73584-2025 have also been granted bail vide common order dated 02.02.2026 passed by this Court.

5. In the light of the facts and circumstances of the present case, as noticed here-above, and also keeping in view the observations made by this Court in the case of the similarly situated co-accused, this Court finds no justifiable ground to deny the concession of regular bail to the petitioners at this stage. The matter is still at the stage of trial, and the final determination of guilt or otherwise can be arrived at only after testing the prosecution evidence in accordance with law. Without expressing any opinion on the merits of the case, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose.

6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an



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expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

10. Petition stands **disposed of**.
Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

February 03, 2026
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No