

CRM-M-60968-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60968-2024
Reserved on: 06.08.2025
Pronounced on: 18.08.2025

Gurjit Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
175	13.07.2023	Kotwali, District Kapurthala	160, 302, 323, 324, 332, 186, 353, 148, 149, 120B IPC and Section 42 of Prisons Act

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. Per the custody certificate dated 05.08.2025, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	64	20.11.2017	363, 366-A, 376, 342, 506, 120B IPC and 3/4 of POCSO Act	Kabirpur

3. The facts and allegations are being taken from the reply dated 04.02.2025 filed by the State, which reads as follows:

“4. 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 3035 inmates in collusion with each other gathered at Phase-2 gate from

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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 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.”

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. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State's counsel opposes bail and refers to following portion of the reply dated 04.02.2025, which read as follows:

“8(i) Role of the petitioner and evidence against the petitioner:

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 along with his other associates, inflicted injuries on the person of Simranjit Singh Simar in the jail premises with deadly weapons, who died later on during his treatment. That at the time of the incident, the present Petitioner Gurjit Singh crossed the gate of Phase-2 with his fellow prisoners and went to Ward-E and beat up prisoner Simranjit Singh. The Petitioner, on 13.07.2023 at around 7:30 am along with his 35-36 associates, inflicted serious injuries on Simranjit Singh alias Simar r/o Dhirpur District Jalandhar and his 03 other companions who were locked up in Ward no. 17 inside the jail due to an old rivalry. During the treatment, the injured Simranjit succumbed to his injuries at Guru Nanak Medical College Amritsar on 13.07.2023. He had a clear motive to commit the crime and played an active role in carrying out the murder. The offence and the injuries inflicted are particularly serious and dangerous to life, as the murder was premeditated and carried out within the confines of the jail.”

6. Vide order dated 19.03.2025, this Court asked for fresh reply mentioning the role of the petitioner. Pursuant to the said order, reply dated 06.05.2025 filed by the State, wherein role of the petitioner is mentioned and the same is as under:-

“6(i) Role of the petitioner

(a) That as per the final report/challan under Section 173/193 BNSS, the present petitioner namely Gurjit Singh @ Money, was accompanying the other accused, who went to give injuries/beatings to Simranjit Singh @ Simar. That 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, is attached herewith as Annexure R-1/T.”

REASONING:

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.

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8. The petitioner’s custody of around 02 months & 06 days cannot be termed prolonged, given the minimum sentence prescribed for the offense.
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

18.08.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.