

**IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA**

Cr. MP (M) No. 1709 of 2026

Date of Decision: 18.9.2026

Paramjeet Singh	Versus	...Petitioner
State of Himachal Pradesh		...Respondent

Coram:

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?¹

For the Petitioner	Mr. N.S. Chandel, Senior Advocate with Mr. Vinod Gupta, Ms. Kanika Verma and Ms. Shwetima Dogra, Advocates.
For the Respondent	Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General.

Sandeep Sharma, J. (Oral)

Bail petitioner, namely Paramjeet Singh, who is behind bars since 14.05.2026, has approached this Court in the instant proceedings filed under Section 483 BNSS for grant of regular bail in case FIR No. 129/2026, dated 30.04.2026, registered at Police Station Nalagarh, District Solan, under Sections 109, 324(4) and 351(2) of BNS.

2. Pursuant to the directions issued by this Court, respondent-State has filed status report and HC Ranjeet

¹ Whether reporters of the local papers may be allowed to see the judgment?

Singh, has come present with record. Record perused and returned.

3. Close scrutiny of record/status report reveals that on 30.04.2026, police, after having received secret information, reached on the spot and found that car bearing registration No. HP-12T-8880 was standing in the middle of the road near Baglehad Bridge and persons namely Didar Singh, Saurabh Rana and Gurdeep Singh, were present. Person, namely Didar Singh, in his statement recorded under Section 173 BNSS, disclosed to the police that on 30.04.2026, while he was driving the car in question towards his house and had reached near Baglehad Bridge at 12:30 AM, he saw that illegal mining was being done by Paramjeet Singh alias Vicky i.e. present bail petitioner. He alleged that he stopped his vehicle, but in the meantime, bail petitioner came on the spot driving his tipper bearing registration No. HP-12R-3257 and hit his vehicle with an intention to kill him. He also alleged that after hitting his car once, bail petitioner reversed his vehicle and again hit his vehicle, as a result thereof, he suffered injuries. Since complainant alleged that bail petitioner hit his car with an intention to kill him, FIR detailed hereinabove came to be lodged against him. Though complainant was taken to the

hospital for medical examination, but medical officer attending upon him found no bodily injury on his person. However, bail petitioner is behind bars since 14.05.2026.

4. Since challan stands filed in the competent court of law and nothing remains to be recovered from him, prayer has been made by the bail petitioner for grant of regular bail.

5. Mr. Rajan Kahol, learned Additional Advocate General, while fairly acknowledging the factum of filing of challan in the competent court of law, states that though nothing remains to be recovered from the bail petitioner, but keeping in view the gravity of offense committed by him, he does not deserve any leniency. He states that evidence collected on record by the prosecution clearly reveals that present bail petitioner purposely, with a view to kill the complainant, hit his vehicle with the car of the complainant and as such, no illegality can be said to have been committed by the police while registering case under Section 109 of BNS against the petitioner. He states that since as many as seven criminal cases stand registered against the petitioner, he may not be enlarged on bail because in that event, he may cause harm to the complainant, who is yet to depose before the learned trial Court.

6. Having heard learned counsel for the parties and perused material available on record, this Court finds that on 30.04.2026, allegedly bail petitioner, while driving the tipper in question hit car of the complainant. As per complainant, bail petitioner intentionally, with a view to kill him, hit his car, whereas case of the petitioner-accused is that car of the complainant was not intentionally or purposely hit, rather while taking turn on the curve, vehicle of the complainant was hit by his tipper.

7. Though learned Additional Advocate General, while referring to a video clip adduced on record, attempted to argue that on two occasions, bail petitioner hit the car of the complainant and as such, it cannot be said that his car was hit accidentally. This Court also watched the video clip contained in the mobile phone of the Investigating Officer and finds that complainant, who was driving a Swift Dzire car, was making video of illegal mining. While doing so, he had parked his vehicle near Baglehad Bridge in front of a link road. Tipper being driven by the present petitioner can be seen coming from the link road, but when the same reached near the road, driver attempted to take turn towards left side, but while doing so, car of the complainant was hit. Admittedly, when driver of the tipper i.e. bail

petitioner was unable to negotiate the curve, he reversed the vehicle and again hit the car while taking turn towards left. Save and except statement of the complainant that bail petitioner attempted to kill him by hitting his car, no other evidence has been collected on record. Though video clip containing scene of incident has been placed on record, but authenticity and correctness of the same is yet to be established on record during trial.

8. No doubt, in past, seven cases stand registered against the petitioner, but this Court finds that out of seven cases, bail petitioner already stands acquitted in two cases, whereas five cases are still pending adjudication. Since guilt of the petitioner is yet to be established in the case at hand, coupled with the fact that he is behind bars for almost three and half months, there appears to be no justification to let him incarcerate in jail for an indefinite period, especially when there is nothing to suggest that complainant received any injury on his body in the alleged incident.

9. Hon'ble Apex Court and this Court in a catena of cases have repeatedly held that one is deemed to be innocent, till the time, he/she is proved guilty in accordance with law. In the case at hand, complicity, if any, of the bail petitioner is yet to be established on record by the

investigating agency Apprehension expressed by learned Additional Advocate General, that in the event of being enlarged on bail, bail petitioner may flee from justice or indulge in such offences again, can be best met by putting the bail petitioner to stringent conditions.

10. Needless to say, object of the bail is to secure the attendance of the accused in the trial and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to take his trial. Otherwise, bail is not to be withheld as a punishment. Otherwise also, normal rule is of bail and not jail. Court has to keep in mind nature of accusations, nature of evidence in support thereof, severity of the punishment which conviction will entail, character of the accused, circumstances which are peculiar to the accused involved in that crime.

11. Hon'ble Apex Court in Criminal Appeal No. 227/2018, ***Dataram Singh vs. State of Uttar Pradesh & Anr*** decided on 6.2.2018 has held that freedom of an individual cannot be curtailed for indefinite period, especially when his/her guilt is yet to be proved. It has been further held by the Hon'ble Apex Court in the aforesaid

judgment that a person is believed to be innocent until found guilty.

12. Hon'ble Apex Court in ***Sanjay Chandra versus Central Bureau of Investigation (2012)1 Supreme Court Cases 49*** has held that gravity alone cannot be a decisive ground to deny bail, rather competing factors are required to be balanced by the court while exercising its discretion. It has been repeatedly held by the Hon'ble Apex Court that object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative.

13. In ***Manoranjana Sinh alias Gupta versus CBI, (2017) 5 SCC 218***, Hon'ble Apex Court has held that the object of the bail is to secure the attendance of the accused in the trial and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to take his trial. Otherwise also, normal rule is of bail and not jail. Apart from above, Court has to keep in mind nature of accusations, nature of evidence in support thereof, severity of the punishment, which conviction will entail, character of the accused, circumstances which are peculiar to the accused involved in that crime.

14. The Apex Court in ***Prasanta Kumar Sarkar versus Ashis Chatterjee and another (2010) 14 SCC 496***, has laid down various principles to be kept in mind, while deciding petition for bail viz. prima facie case, nature and gravity of accusation, punishment involved, apprehension of repetition of offence and witnesses being influenced.

15. In view of the aforesaid discussion as well as law laid down by the Hon'ble Apex Court, petitioner has carved out a case for grant of bail, accordingly, the petition is allowed and the petitioner is ordered to be enlarged on bail in aforesaid FIR, subject to his furnishing personal bond in the sum of Rs. 1,00,000/- with two local sureties in the like amount each to the satisfaction of learned trial Court, with following conditions:

- (a) ***He shall make himself available for the purpose of interrogation, if so required and regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so, seek exemption from appearance by filing appropriate application;***
- (b) ***He shall not tamper with the prosecution evidence nor hamper the investigation of the case in any manner whatsoever;***
- (c) ***He shall not make any inducement, threat or promises to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or the Police Officer; and***
- (d) ***He shall not leave the territory of India without the prior permission of the Court.***
- (e) ***He shall surrender his passport, if any, before the investigating agency.***

16. It is clarified that if the petitioner misuses the liberty or violates any of the conditions imposed upon him, the investigating agency shall be free to move this Court for cancellation of the bail.

17. Any observations made hereinabove shall not be construed to be a reflection on the merits of the case and shall remain confined to the disposal of this application alone. The petition stands accordingly disposed of.

18. A downloaded copy of this order shall be accepted by the learned trial Court, while accepting the bail bonds from the petitioner and in case, said court intends to ascertain the veracity of the downloaded copy of order presented to it, same may be ascertained from the official website of this Court.

(Sandeep Sharma)
Judge

September 18, 2026
(manjit)