

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-46990-2019 (O&M)  
Date of Decision:-24.2.2020

Karanbir Singh Bath

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Charanpreet Singh, Advocate for the petitioner.

Mr. Randhir Singh Thind, Deputy Advocate General, Punjab,  
assisted by ASI Satwinder Singh.

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.71 dated 9.9.2018 at Police Station Valtaha, District Tarn Taran under Section 302 of Indian Penal Code, 1860.
2. The case of prosecution, in nutshell, is that on 9.9.2018 when the police had laid barricading, one Innova Car bearing registration No.PB-46-S-7770 was signaled to stop, but the driver of said car instead of stopping the vehicle accelerated the same and ran over two police officials, who died on account of injuries sustained by them. It is further the case of prosecution that subsequently the petitioner was identified by Santokh Singh, Chowkidar and

that the petitioner had later made an extra judicial confession before Gurlabh Singh.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that even if the allegations are taken to be correct, still at best it would be a case under Section 304-A IPC. The learned counsel has further submitted that despite the fact that the petitioner has been behind bars since the last about 1½ years, not even a single PW out of the cited 21 PWs has been examined so far.
4. The learned State counsel has today filed short reply by way of affidavit of Sh. Rajbir Singh, PPS, Deputy Superintendent of Police, Sub Division Valtoha, Camp at Bhikhiwind, District Tarn Taran, which is taken on record.
5. Opposing the petition, the learned State counsel has submitted that since it is a case where the petitioner intentionally ran the vehicle over two of the police officials, the murderous intent of the petitioner is clearly evident and no case for grant of bail is made out. The learned State counsel has, however, informed that the petitioner is not involved in any other case and that till date not even a single PW out of the cited 21 PWs has been examined.
6. I have considered rival submissions addressed before this Court.
7. It will be debatable as to whether the present case is a case under Section 304-A IPC or under Section 302 IPC given the fact that the petitioner is not even stated to be involved in any other case. In any case, since the petitioner has been behind bars since the last about 1½ years and till date not even a single PW out of the cited 21 PWs has been examined, further detention of

the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time.

8. The petition, as such, is accepted and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**24.2.2020**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No