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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-22265-2023
Date of Decision: 12.12.2023

Amandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rohit Sud, Advocate, with
Mr. Akhil Aggarwal, Advocate
for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.67, dated 10.05.2022, under Section 304 IPC and Sections 184, 187, 192A, 196 MV Act added later on, registered at Police Station City Jalalabad, District Fazilka.

2. It is submitted by the learned counsel for the petitioner that the petitioner is in custody from 21.01.2023, which is 10 months and 21 days and now the trial has already commenced and considering the allegations against the petitioner, he may be considered for grant of regular bail since the investigation of the case has already been completed. He further submitted that the owner of the vehicle has been kept in column No.2 and has not been challaned whereas the petitioner, who is the driver of the vehicle has been challaned and he was holding a valid licence.

3. On the other hand, Mr. G.S. Sidhu, AAG, Punjab submitted that as per the custody certificate, the petitioner is involved in one more case i.e. under Sections 304-A, 279, 337, 427 IPC bearing FIR No. 41 dated 19.04.2018, registered at Police Station Arniwala. He further submitted that so far as the custody of the petitioner is concerned, the same is correct and only 2 prosecution witnesses have been examined till date. He submitted that it is a case where the petitioner was driving the bus in such a rash and negligent manner and due to over speed it caused the death of 4 persons and also submitted on instructions that the petitioner was rather challaned earlier under the Motor Vehicles Act for playing high music and it is a case where the petitioner is rather habitual in driving the bus with high music and in a rash manner which has taken the lives of so many people. He further submitted that some of the material witnesses are yet to be examined and considering the seriousness and gravity of the offence, the petitioner does not deserve the concession of regular bail.

4. I have heard the learned counsels for the parties.

5. The total custody of the petitioner is stated to be 10 months and 21 days and only two witnesses have been examined. The petitioner is also stated to be involved in one more case as aforesaid and as per the learned State counsel, the petitioner was also challaned earlier under the Motor Vehicles Act for playing high volume music and the petitioner was stated to be driving a private bus without permit which turned turtle because of high speed and killed 4 people.

6. This Court is of the view that considering the gravity of the offence involved, the petitioner does not deserve the concession of regular bail.

Consequently, the present petition is hereby dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

12.12.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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|------------------------------|--------|
| 1. Whether speaking/reasoned | Yes/No |
| 2. Whether reportable: | Yes/No |