

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26287-2024
Reserved on: 12.08.2024
Pronounced on: 30.08.2024

Karanvir Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Jasjit Singh, D.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
77	05.04.2024	Samrala, District Ludhiana	279/304-A IPC and Section 304 IPC was added later on

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 439 CrPC, 1973, seeking regular bail.
2. In paragraph 13 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“(i) The present case has been registered on the basis of the statement of the complainant Hasin to the effect that 05-04- 2024 he was returning from Chandigarh to Ludhiana on his motorcycle (PB-91-T-5405) make TVS along with Sona, Pooja, and Janu. They stopped at a dhaba near Samrala bypass for tea. Around 6:15 PM, after realizing that he had forgotten his helmet at the dhaba, he asked Sona, Pooja, and Janu to wait by the roadside while he went back to retrieve it. During this time, a car (Honda Accord, PB-07-V-3600), driven recklessly and at high speed, ran over the three individuals i.e Sona, Pooja, and Janu. The car became uncontrollable and hit the footpath. Thereafter, the driver alighted from the said car and identified himself as Karanvir Singh (petitioner). Thereafter, the petitioner fled from the spot. Thereafter, Sona, Pooja and Janu were brought to the Civil Hospital Samrala, where the concerned Doctor declared them dead. Hence, initially the present FIR was registered under section 279, 304-A IPC.”

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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.

5. The State's counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

"6. That it is pertinent to mention here that blood Sample and urine sample of the petitioner was taken and the same were sent to FSL for chemical examination. The report of chemical examination has been received in which Ethyl alcohol found positive having concentration 161/mg/100ml. Copy of FSL report is Annexure R2."

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. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

8. The petitioner's counsel primarily argued that S. 304 IPC would not attract. Any opinion of this Court on this aspect would prejudice the decision on framing the charges. As such, on this ground, the petitioner is at liberty to seek bail after framing charges.

9. Because the petitioner is in custody for around five months, Ld. Trial Court is requested to expedite the case to the charge stage.

10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. **Petition dismissed.** All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

30.08.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.