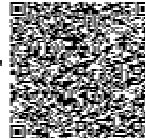


2024:PHHC:119823



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

Sr. No.103

CRM-M-45531-2024 (O&M)
Date of decision : 12.09.2024

Amit Singh @ Jaspreet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

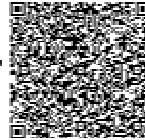
Present: Mr. H.S. Sandhu, Advocate, for the petitioner.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest in case FIR No.73 dated 03.08.2024, under Sections 105, 281 & 324(4) of BNS, 2023, registered at Police Station Phase 8, SAS Nagar, Mohali, the petitioner has preferred this petition under Section 482 BNSS, 2023 for grant of pre-arrest bail.

2. Learned counsel for the petitioner submits that the petitioner is a 21 years old law-abiding citizen and has no criminal record. He further submits that the petitioner is an unfortunate victim of false implication, having been wrongfully accused in the present case at the behest of the complainant, namely, Tajinder Pal Singh, who has alleged that his younger brother was struck by a car driven by the petitioner. The incident is alleged to have occurred when the petitioner was driving his Breeza car (bearing registration No.PB-19R-5500) at a very high speed and struck the Activa Scooter of the deceased, resulting in the scooter being dragged for about 100 meters before the car stopped. He further submits that in the FIR, it is alleged that the petitioner was under the influence of alcohol at the time of the incident and that after the accident, he and the other four occupants of

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the car fled from the spot but were later apprehended by the police when they go back to the spot, however, the petitioner managed to escape.

3. Learned counsel for the petitioner submits that there is no evidence to substantiate the allegations of intoxication and that the absence of medical documentation corroborates his claim. He has further stated that no recoveries are to be made from the petitioner and he show cooperation with the going investigation.

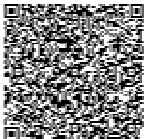
4. Served with advance copy of the petition, Mr. Vinay Kumar, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and has opposed the submissions made by learned counsel for the petitioner.

5. Mr. H.S. Sikka, Advocate has also put in appearance on behalf of the complainant and has filed his power of attorney in Court. The same is taken on record. He also submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of pre-arrest bail.

6. Heard the rival submissions made by learned counsel for the parties.

7. The allegations leveled against the petitioner are very serious and it is alleged that the petitioner was involved in an incident of negligent drunk driving which resulted in tragic death of the victim who was on his Activa Scooter. Even though, it has been argued by the learned counsel for the petitioner that there is no medical evidence regarding whether the petitioner was in an inebriated condition, however, be that as it may, there has been a loss of life due to rash and negligent driving. Such cases are on a

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rise and it clearly demonstrates a blatant disregard for human life and public safety and poses a serious threat to society.

8. The gravity of the offence coupled with the fact that it has resulted in the loss of life warrants a custodial interrogation to ensure a thorough investigation and to deter similar offences in future.
9. Granting anticipatory bail in such circumstances would undermine the severity of the offense and the interest of justice.
10. Accordingly, this petition stands dismissed.

(KIRTI SINGH)
JUDGE

12.09.2024
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No