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(205)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26710-2025

Date of Decision: 05.09.2025

NARENDER SINGH

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amarsh Dudeja, Advocate with
Mr. Amit Dudeja, Advocate
for the petitioner.

Mr. Vipul Sherwal, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.40 dated 27.02.2025 registered under Sections 109/1, 281, 324(5), 303(2) BNS, Section 21(4) Mining Act and Sections 181, 196, 56/192 M.V. Act P.S. Sector 20, Panchkula.

2. The present FIR came to be registered at the instance of ESI Gurcharan Singh, Incharge ERV No.530, Police Station, Sector 5 Panchkula and the same reads as under:-

“Statement ESI Gurcharan Singh No. 380/Panchkula, Incharge ERV No. 530, Police Station Sector-5 Panchkula Mobile No. 8295237832 stated that I am posted as Incharge on ERV No. 530 and today I was present at area police post Sector 21 Panchkula for my routine duty along with my staff DVR Baljinder Singh No. 292 and SPO Satbir Singh No. 267 when I received a VT that a

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truck no.HR58C-5574 loaded with mining material is running towards Zirakpur via main highway Sector-20 from Toll Plaza Pinjore breaking traffic signal and driving the truck negligently and carelessly which is visible on the VT. After hearing this, I had just reached near the flyover of Sector-20 Panchkula with my ERV and my staff when I saw a truck coming from the main highway from old Panchkula at a very high speed, behind which another police vehicle was also following. While sitting in my ERV, I signaled the truck to stop on the side with my hand and also told the truck to stop on one side in a loud voice through the microphone installed in the vehicle, but the truck driver did not reduce the speed of his truck and increased it even more and hit our ERV directly with the intention of killing us, due to which our ERV overturned several times and our ERV was badly damaged and we also got a lot of injuries, but luckily our lives were saved and the truck driver left us in an injured state at the spot without stopping and fled from the spot with the truck towards Zirakpur. Now I am getting my treatment done at Civil Hospital No. 6 Panchkula. I have recorded my statement with you in full senses. Therefore, legal action should be taken against the driver of the said truck no. HR58C-5574 for hitting and destroying our ERV no. 530 with the intention of killing us. I have got my statement written for you, you have read it, it is okay. SD/ ESI GURCHARAN SINGH.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He has only been arrested as he was owner of the vehicle. It is a simple case of hit and run and the offence, if any is under the Motor Vehicles Act. As the petitioner is a first-time offender, in custody since 27.02.2025 but none of the 27 prosecution witnesses has been examined so far, the trial of the present case is not likely



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to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that on being signalled to slow down the truck, the petitioner collided the truck into the vehicle of the complainant at a high speed with an intent to kill the complainant and other police officials. The truck was found to be loaded with a mining material. The nature of the allegations levelled against the petitioner do not entitle him to the concession of bail. He, however concedes that the petitioner is a first-time offender, in custody since 27.02.2025 but none of the 27 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first-time offender, in custody since 27.02.2025 but none of the 27 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Narender Singh S/o Sh. Ram Lal is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform

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in writing each time that he is not involved in any other crime other than the present case.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

05.09.2025

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No