



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-26557-2025

Reserved on: 31st July, 2025

Pronounced on: 5th August, 2025

Gupreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. A.S. Sidhu, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 04 dated 14.01.2025 registered under Sections 281, 125, 105 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 185 of the MV Act, 1988 at Police Station Urban Estate Patiala, District Patiala.

2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant Shabnam Devi on 14.01.2025, alleging that on the previous night, she along with her family members and some neighbourers, had celebrated the Lohri festival. They had lit bonfire and were sitting around the said bonfire when suddenly a car bearing registration number PB-11-CP-3611, driven by the petitioner at a high speed, came from the primary school side and crashed into them and then



fell into a drain after losing balance. Her husband Atul Kumar, who was sitting with them got stuck in the car and it was with the help of neighbours and other persons that he could be pulled out. He was rushed to the hospital but succumbed to the injuries sustained by him. She alleged that they had an argument with the petitioner few days back and, while keeping a grudge, the petitioner had intentionally driven his vehicle at a fast speed and had caused injuries to her husband, resulting in his death. A case under Sections 105, 125 and 281 of BNS was registered. Investigation proceedings were initiated. Post-mortem examination of the dead body was conducted. Offences under Sections 281 and 125 were deleted and offences under sections 115 and 117 of BNS were added. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No case for commission of offence punishable under section 105 of BNS has been made out against him. Allegations against him are that he was under the influence of liquor but no medical evidence has been collected in this regard. He is in custody since 14.01.2025. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that the petition does not deserve to be allowed.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the grave nature of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.



6. The petitioner is alleged to have caused the death of the victim, Atul Kumar, by driving a car at high-speed on the fateful night. As per the prosecution case, he was drunk at the time of the occurrence and that he had intentionally caused the accident and had the *mens rea* to cause the death of the victim. The allegations that he had *mens rea* or not is to be determined on the basis of evidence to be produced during the trial and not at this stage. It is a debatable question, as to whether, it was a case of culpable homicide not amounting to murder or of causing death of the victim due to rash and negligent driving. Investigation has been completed and the trial will take time to conclude. Further incarceration of the petitioner would not serve any useful purpose. Taking into consideration all these facts, I am of the considered opinion that a case for release of the petitioner on bail has been made out. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

- (i) he shall not absent himself on any date before the learned trial Court;
- (ii) he shall deposit his passport, if any, with the learned trial Court;
- (iii) he shall give the details of his mobile numbers at the police station concerned and shall not change the same without prior permission of the Court;
- (iv) he shall not delay the trial in any manner.



7. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th August, 2025
Parveen Sharma

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