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

**CRM-M No.32770 of 2025 (O&M)
Date of decision : 26.09.2025**

Jasbir Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Gaurav Arora, Advocate and
Mr. Yashpal Thakur, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

Mr. N. S. Lucky, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

CRM-39122-2025

Allowed as prayed for. Statement of witness and medical records of the wife of petitioner are ordered to be taken on record.

CRM-M-32770-2025

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.10, dated 13.01.2025, under Section 105 of BNS, 2023, registered at Police Station Balongi, District SAS Nagar.



2. Succinctly the facts of the case are that on 13.01.2025 the police received a rukka wherein the information was received that a building under construction was collapsed near Encourage Hotel, TDI City, Sector 18, Mohali. 04 persons, namely, Jaswinder Singh, Udey Paswan, Kuldeep paswan and Karan sustained injuries. They were shifted to Civil Hospital, Phase-6, Mohali for treatment. Thereafter, it was informed that one of the injured, namely, Jaswinder Singh was died due to the injuries suffered. It was found that the incident had taken place because the contractor had not made sufficient arrangement in the building so as to avoid any casualty in case of any accident. Thus, the FIR for the offence under Section 105 BNS was registered. On registration of the FIR, the investigation commenced. The petitioner, being the contractor, was prima facie found guilty and hence he was arrested on 13.01.2025. The petitioner approached the Court of learned Additional Sessions Judge, SAS Nagar praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, SAS Nagar declined the bail application filed by the petitioner vide order dated 17.02.2025. Being aggrieved, the petitioner earlier approached this Court twice by way of filing CRM-M-11182-2025 and CRM-M-28495-2025 praying for the grant of bail, however the same were dismissed vide orders dated 05.03.2025 and 28.05.2025, respectively. Hence being aggrieved, the petitioner is before this Court again by way of filing the present third petition praying for the grant of regular bail. The petitioner was also granted interim bail by this Court in the present case vide order dated 07.08.2025, however the same was later on cancelled vide order dated



05.09.2025.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the contractor, who was responsible for the construction of the building was some one else, however the petitioner was working with him and thus, the petitioner has no liability as alleged against him. He has submitted that though the casualties have taken place, however in the facts and circumstances, the petitioner cannot be held responsible for the same. He has submitted that the main person responsible for the construction of the building has not even been arrayed as an accused. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 13.01.2025 and he has no criminal antecedents. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner has also compensated the victim and in this regard, he has deposited a demand draft bearing No.745306 dated 04.09.2025 amounting to Rs.3,00,000/- in the name of the Registrar, Punjab and Haryana High Court, Chandigarh in the registry. He has submitted that the investigation is complete, the charges are framed and the trial is already in progress. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. Learned counsel for the complainant though has opposed the submissions made by learned counsel for the petitioner, however he has also affirmed the fact that the petitioner has deposited a demand draft amounting to Rs.3,00,000/- for compensating the victim.

5. *Per contra*, learned counsel for the State however has



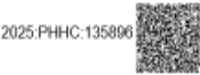
vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that the petitioner is the person, who is liable for the accident had taken place in which number of persons have suffered injuries and one of them was died as well. She, on instructions, has submitted that out of total 24 prosecution witnesses, only one witness has been examined so far.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner has been alleged to the person responsible for the construction of the building. Out of the casualties reported, one of the persons succumbed to the injuries. As submitted before this Court by learned counsel for the petitioner, the petitioner has deposited a demand draft amounting to Rs.3,00,000/- in the name of the Registrar, Punjab and Haryana High Court, Chandigarh with the registry. As submitted before this Court, the petitioner has no criminal antecedents. Charges are already framed and the trial is in progress.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, the nature of the case and the allegations made, the Court is of the opinion that learned counsel for the petitioner succeed in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety



bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10. The Registrar General, Punjab and Haryana High Court, Chandigarh is directed to release the amount of demand draft bearing No.745306 dated 04.09.2025 amounting to Rs.3,00,000/- to the victim, i.e. respondent No.2, namely, Harpreet Kaur, in the present case forthwith as per rules.

26.09.2025			(RAJESH BHARDWAJ)
<i>rittu</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No
			JUDGE