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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-42429-2024  
Date of Decision: 22.05.2025

Pritam Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

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Present: Mr. Surinder Garg, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

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**SANJAY VASHISTH, J. (ORAL)**

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

| Name of<br>Petitioner(s) | FIR<br>No. | Date       | Section(s)                        | Police<br>Station  | District |
|--------------------------|------------|------------|-----------------------------------|--------------------|----------|
| Pritam Singh             | 53         | 05.04.2024 | 304, 279,<br>337, 338,<br>427 IPC | Sadar<br>Katkapura | Faridkot |

2. Learned counsel for the petitioner contends that as per allegation in the FIR, it is a case of accident and instead of registration of the case under Section 304-A IPC, offence which is punishable under Section 304 IPC added, only for the reason that there are total five deaths occurred in the said accident. The petitioner was driving a truck bearing registration No.PB-10-JK-9984 and it struck to Chota Hathi bearing registration No.PB-



04-AF-0376, which was loaded by 14 persons during the night time at 2:00 AM.

3. Learned counsel for the petitioner submits that the investigation has been completed and report under Section 173 Cr.P.C. has been submitted and conclusion of trial will take long time. It is also submitted that the petitioner has already suffered incarceration for a period of 01 year, 01 month and 15 days and no useful purpose would be served by keeping the petitioner behind the bars further and therefore, he may be granted the concession of regular bail.

4. On the other hand, learned State counsel submits that it is a case of accident which has been caused due to rash and negligent driving by the petitioner, where five people lost their lives and therefore, petition does not deserve any sympathy for releasing on bail.

5. I have heard learned counsel for the parties and perused the relevant material on record with their able assistance.

6. After hearing the learned counsel for the parties, this Court is of the considered view that it is yet to be ascertained by the trial Court, after considering all the evidence led before it, as to whether the accident is the result of rash and negligent driving by the petitioner and the offence committed by him is punishable under Section 304 IPC or 304-A IPC along with, other offences punishable under Sections 279, 337, 338 and 427 IPC.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is **allowed**.



Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

- 9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
- 10. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
- 11. Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

May 22, 2025  
*Nisha-1*

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