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

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CRM-M-47252-2025 (O&M)
Date of decision : 08.12.2025

Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Manish Kumar Singla, Advocate and
Ms. Bhoomika, Advocate
For the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ankur Bansal, Advocate
For the complainant.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in
FIR No. 64 dated 07.05.2025, registered under Section 105 of BNS, 2023
(Sections 125(a), 125(b), 61 and 49 of BNS, 2023 added later on) at Police
Station Sadar Samana, District Patiala.

2. The aforementioned FIR was registered on the basis of the
statement recorded by complainant Sandeep Loomba on 07.05.2025 alleging
therein that on the same day, he was travelling in his private car and was going
from Patiala to Samana. Within his sight, he saw an Innova car bearing
registration number PB-11-BA-7300 leading his vehicle. When their vehicles
reached near Nassupur, a tipper vehicle bearing registration number PB-11-CZ-

6336, overloaded with soil, was found coming from the opposite side. It was

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driven at a high speed and in a zig-zag manner. The driver of the said tipper came from the wrong side and struck his vehicle into the Innova car, in which, 10-12 school children were travelling. The said children as well as the driver of the car sustained injuries and most of them succumbed to the same at the spot, whereas some children sustained serious injuries. The driver of the offending vehicle was apprehended. On asking, he disclosed his name as Bhupinder Singh @ Bhupi and the names of the owners of the tipper vehicle as Davinder Singh, i.e. the present petitioner, and Randhir Singh. After registration of the FIR, investigation proceedings were initiated. Post-mortem examination of the dead bodies was conducted. The petitioner, who is proprietor of Khatra Trading Company and was registered owner of the offending vehicle, was arrested on 21.05.2025. Co-accused Randhir Singh was also arrested subsequently. Investigation now stands completed and challan has been filed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Though he was the registered owner of the offending vehicle but he had actually sold the same to co-accused Randir Singh by executing an agreement (Annexure R-2/2) in his favour on 03.11.2023. Neither the driver of the offending vehicle had been employed by him nor he had anything to do with the said vehicle. He is in custody since long. Investigation has since been completed. Trial will take considerable time to conclude. The ingredients for commission of offences punishable under Sections 125(a) and 105 of BNS, 2023 are not attracted qua him. His further detention would not serve any useful purpose. He has clean antecedents. He is ready to abide by the terms and conditions to be imposed upon him. Co-accused Bhupinder Singh @ Bhupi and Aniket have since been granted concession of bail. He too deserves to be given the same benefit. Therefore, it

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is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report along with the custody certificate of the petitioner has been filed by the respondent-State. Learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious and specific allegations against the petitioner, who was in fact the registered owner of the offending vehicle. The said vehicle is still in his name as per the records. He had employed the driver of the vehicle in question, who had driven the said vehicle at a high speed. Even basic requirements have not been fulfilled since no fitness certificate or insurance of the vehicle was there nor the driver was having a driving license for driving the heavy vehicle. She has further argued that eight lives have been lost in the incident, which included the lives of small children. During the course of investigation, even call detail records of the petitioner and co-accused have been collected, which show that they had been talking to each other just after the occurrence had taken place. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to be the registered owner of the offending vehicle bearing registration number PB-11-CZ-6336, which was driven by co-accused Bhupinder Singh @ Bhupi on the fateful day and which had caused accident resulting into death of eight persons including seven children. The petitioner is in custody since 21.05.2025. Investigation has since been completed and challan has been filed but even charges have not been framed so far. Therefore, it is obvious that conclusion of trial would take considerable time as there are 59 prosecution witnesses. The petitioner has

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already been granted concession of bail. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

08.12.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No