



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

**CRM-M-60111-2024**

**Date of decision : 08.07.2025**

**Sohan Singh**

**....Petitioner**

**versus**

**State of Punjab**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Yogesh Goel, Advocate,  
Ms. Kritika Singh, Advocate & Mr. Mayank Kalra, Advocate  
for the petitioner.

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

**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.220 dated 16.08.2024, under Sections 281, 106, 324(4), 324(5), 125 of BNS (later on added offence under Section 105 BNS and deleted offence under Section 106 BNS), registered at Police Station Sahnewal, District Ludhiana.

2. Succinctly the facts of the case are that the present case was registered on the statement complainant, namely, Jagar Singh. It was alleged that he along with his brother-in-law Gurmail Singh and sister Paramjit Kaur had come to Sahnewal. His brother-in-law along with his sister Paramjit Kaur were travelling in their car make Swift Dzire and they were going to Jaspal Banger via Tibba Canal Bridge. The complainant was following them in his vehicle Thar. One truck bearing No.HP-62A-1712 came from Tibba Canal which was being driven in a rash and negligent manner. The truck hit the e-rickshaw and the car in which his brother-in-law and sister were travelling. He saw his brother-in-law Gurmail Singh and sister Paramjit Kaur got stuck badly in the car. The driver of the truck who was about 60 years of age, came down from his



truck at the spot and managed to escape. He pulled out his and sister from the car and shifted them to Satguru Partap Singh Hospital, Ludhiana, however, his brother-in-law succumbed to the injuries. The request was made to take the legal action against the accused. On registration of FIR, investigation commenced. The petitioner who was driver of the offending truck was arrested on 16.08.2024. He approached the Learned Additional Sessions Judge, Ludhiana, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Ludhiana vide order dated 07.11.2024. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely prosecuted in the present case. He submits that the petitioner is a senior citizen who was an experienced driver, however, inadvertently, a death had taken place in the accident occurred. He submits that allegations pertaining to the rash and negligent driving by the petitioner is totally false and frivolous. He submits that the petitioner has no criminal antecedents and he is behind bars since the date of his arrest. It is submitted that the prosecution intentionally delayed the investigation and thereafter, the trial is also being delayed. The petitioner is behind bars from last more than 10 months. He submits that in the facts and circumstances of the case, further incarceration of the petitioner is not essential and thus, he deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner and submits that the petitioner was the driver of the offending truck. She submits that as per the case of the prosecution, petitioner was drunk and due to the rash and



negligent driving, there was a death and others got injured in the accident. She submits that investigation is complete, challan stands presented, however, charges are yet to be framed. She has produced on record the custody certificate of the petitioner on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that a death in the present case had taken place due to the accident between the car and the truck. The petitioner was the driver of the offending truck. The custody certificate produced would show that he has suffered an incarceration of 10 months and 20 days as on 07.07.2025. It further reflects that the petitioner has no criminal antecedents. As submitted before this Court, investigation is complete and challan stands presented.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his 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.

08.07.2025  
ps-I

( RAJESH BHARDWAJ )  
JUDGE

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