

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-62554-2025
Date of decision: November 14, 2025

VISHU KAPOOR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. P.S. Ahluwalia, Senior Advocate with
Mr. Jaiveer Singh, Advocate and
Mr. Roshneel Singh Brar, Advocate
for the petitioner.

Mr. Satjot Singh Chahal, Assistant Advocate General, Punjab.

TRIBHUVAN DAHIYA, J. (ORAL)

At the outset, learned Senior counsel contends that in the FIR, Sections 249 and 61(2) of BNS, 2023 were added later on, and could not be mentioned in the petition; the same may be read as part thereof.

2. The prayer is accepted, and Sections 249 and 61(2) of BNS are ordered to be added to the prayer clause of the petition. Registry is to carry out the necessary correction.

3. The instant petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail in case FIR No.178 dated 14.09.2025, under Sections 61 (2), 105, 125(a), 125(b), 249, 281 and 324(4) of BNS, 2023, registered at Police Station Division-6, District Police Commissionerate, Jalandhar.

4. The FIR has been lodged on the following allegations:

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On 13.09.2025, I and my son, after our personal work, were coming back to our house from Model Town. Then I was in my car No.PB-08-L-0001 mark Marazzo and ahead of me, my son Richy K.P. was going in Fortuner car no.PB-08-AT-0001. When we reached near Bata showroom near Mata Rani Chowk, Model Town, Jalandhar, then a car no. PB-08-FK-7073 Grand Vitara suddenly came in front of the car of my son and the car no.PB-08-DB-6500 mark Creta, following it, came at a very rash speed, which hit in the car of my son, by virtue of which my son Richy K.P. died on the spot.

Subsequent thereto, on the basis of supplementary statements of the complainant and an eye-witness Sewak Singh, recorded vide General Diary (GD) entries no.34 and 35 dated 30.09.2025, the petitioner was nominated an accused in the case as driver of Grand Vitara car.

5. Learned Senior counsel contends it is unfortunate that the accident was caused resulting in complainant's son's death, but there was no intention on the petitioner's part to do so. This is apparent from the fact that his wife and minor daughter were also in the car, all of them received injuries and had to be admitted in hospital. The petitioner remained there from 14.09.2025 to 03.10.2025, when he was taken in custody. His wife and daughter remained admitted from 14.09.2025 to 17.09.2025. Therefore, the offence under Section 105 BNS is not made out. He has no criminal antecedents.



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6. Learned State counsel, however, contends that the petitioner is not entitled to grant of bail as his reckless driving has resulted in loss of an innocent life. And it cannot be said he had no knowledge that such an act could cause death. He further contends that investigation in the case is still not complete.

7. Heard.

8. The petitioner's culpability for the offence under Section 105 BNS is a matter of trial which is still to commence. He has no criminal antecedents, nor is there any apprehension of his tampering with the evidence or influencing the witnesses. His further incarceration is therefore not justified.

9. The petition is, accordingly, allowed and the petitioner is directed to be released on regular bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

November 14, 2025

Jaspreet Kaur

**(TRIBHUVAN DAHIYA)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*