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CRM-M-12045-2026 (O&M)

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

CRM-M-12045-2026 (O&M)

Date of decision: 29.04.2026

DILPREET SINGH

....Petitioner

Versus

STATE OF PUNJAB & ANR.

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Sarabjit Singh Grewal, Advocate for the petitioner.

Ms. Aiman J. Chisti, AAG Punjab.

Mr. Amardeep Singh Mann, Advocate for the complainant.

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RUPINDERJIT CHAHAL, J. (ORAL)

CRM-13706-2026

Keeping in view the averments made in the application, the same is allowed and complainant Balram Singh is ordered to be impleaded as respondent No.2 for the purpose of the present petition.

Amended memo of parties is ordered to be taken on record.

Registry to do the needful.

Disposed of.

Main Case

1. Prayer in the instant petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.105 dated 26.08.2023 registered under Section 304 IPC at Police Station Nihal Singh Wala, District Moga.



2. Brief facts of the present case, as per the prosecution, are that the petitioner was driving his car in a high speed in a zig-zag manner and hit one Sandeep Kaur and Swaran Kaur who died on the spot. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and no offence punishable under Section 304 IPC is made out against the petitioner. He contends that neither there was any motive nor any previous dispute between the parties. He submits that the matter has been compromised between the petitioner and the complainant and to support his contention he has placed reliance on compromise deed dated 27.10.2025 (Annexure P-3). The petitioner is in custody since 26.08.2023. Petitioner has clean antecedents as he is not involved in any other case. He submits that challan has been presented, charges have been framed and out of 13 prosecution witnesses 08 have been examined, as such the trial may take quite a long time to conclude and no useful purpose would be served by keeping him behind the bars. There are no chances of his absconding, therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate of the petitioner. Status report has already been filed in the present case and she relying on the same has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the offence committed by the petitioner is serious in nature. However, she could not controvert the fact that the petitioner is a first time offender and is not involved in any other case.

She further submits that she is not aware of the compromise between the

parties, if any.



5. Learned counsel appearing on behalf of the complainant has affirmed to the factum of compromise entered between the parties and has no objection if the present petition is allowed.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, particularly the fact that the petitioner is in custody for the last more than 02 years and 08 months; parties have already compromised the matter; challan has been presented; charges have been framed and out of 13 prosecution witnesses 08 have been examined and as such trial may take a long time to conclude and no useful purpose would be served by detaining him in further custody.

7. Reliance is also placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

8. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

9. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- ***Akhtari Bi Vs.***



State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.

10. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

11. The present petition is disposed off accordingly.

29.04.2026

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |

(RUPINDERJIT CHAHAL)
JUDGE