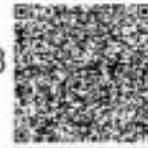


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2026:PHHC:088288



CRM-M-34522 of 2026(O&M)

Date of Order:30.06.2026

Bhupinder Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Ranwant Singh Sangha, Advocate
for the petitioner.

Mr. Akash Yadav, AAG, Punjab.

SHALINI SINGH NAGPAL, J. (oral)

Petitioner seeks regular bail in case vide FIR No.27 dated 12.02.2025, under Sections 105 and 324(4) of BNS and Section 185 of Motor Vehicles Act (added lateron) , Police Station Dharamkot, District Moga. This is the third application for regular bail. First and second applications were dismissed as withdrawn on 18.08.2025 and 11.03.2026.

2. Kulwant Singh son of Mahinder Singh reported to the police that on 12.02.2025 at around 11:00 a.m., his cousin brother Jaswinder Singh who was posted as SHO was going from his house for duty towards Moga on scooter bearing registration No.PB47-3068. He was following him on his motorcycle bearing registration No.PB-76-A-6855. When Jaswinder Singh reached main road Jalandhar from link road, 200 mtrs ahead of Bus stand Pandori Ariyan, an I-20 car bearing registration No. DL04-CAP-5884 came at high speed from side of Jalandhar. Driver of the car was intentionally

driving the car at high speed, with the knowledge that he could cause death if the car hit any one. The driver hit the car on the back side of scooter of his brother, who fell down on the road and suffered head injury. He stopped his motorcycle to attend to his brother and public persons also gathered. Name of the driver of I-20 car was disclosed as Bhupinder Singh son of Bikkar Singh. He arranged a vehicle and got Jaswinder Singh admitted in Moga Medicity Hospital where he died during treatment. It was stated that the incident occurred due to rash, negligent and high speed driving of Bhupinder Singh, who drove the car at high speed knowing that death could be caused if car hit anyone.

3. Learned counsel for the petitioner submits that the petitioner had been falsely implicated in the case. As per prosecution version, the occurrence arose out of a road accident. There was no allegation of prior enmity, motive or intention on part of the petitioner to cause death. Simple case of road accident was converted into offence under Section 105 BNSS. No ingredients of the offence under Section 105 BNSS were made out. Allegations against the petitioner were a matter of trial. After dismissal of first two petitions for regular bail, there was substantial change in circumstances as investigation had since been concluded. Petitioner who was in custody w.e.f. 12.02.2025 thus deserves to be enlarged on regular bail.

4. Learned State counsel has opposed the petition for regular bail arguing that petitioner was not only driving his I-20 car bearing registration No. DL04-CAP-5884 at high speed when he caused the accident, he was also under the influence of liquor. Thus, the knowledge that driving of the

car at high speed, in state of intoxication was likely to cause death of any person in the event of accident, was to be attributed to the petitioner. Considering the serious nature of allegations, petitioner did not deserve the concession of bail.

5. First petition for regular bail was dismissed as withdrawn on 18.08.2025 and second petition was dismissed as withdrawn on 11.03.2026. Thereafter, petitioner has undergone incarceration of 3 more months which can be considered substantial change in circumstances. After framing of charge, one witness stands examined. Conclusion of trial by an early date does not appear to be in sight. It is not alleged that petitioner was known to the deceased or had enmity with him. Petitioner is in custody w.e.f. 12.02.2025 and has undergone incarceration of more than 1 year and 4 months. His antecedents are clean . Allegations against him are to be tested during the course of trial.

6. In view of period of incarceration undergone, relevant facts and circumstances of the case, the stage of trial, clean antecedents of the petitioner and mandate of Article 21 of the Constitution of India, the petition is allowed. Petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

30.06.2026

reema

Whether speaking/reasoned	:	Yes
Whether reportable	:	No