



CRM-M-54992-2025 1

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

112

CRM-M-54992-2025

Date of decision: 26.02.2026

RAMANPREET SINGH

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Adarsh Priyadarshi, Advocate
for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH, J.

1. This petition for bail, which is first petition, has been filed by the petitioner under Section 483 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. This petition has been filed with regard to a case arising out of FIR No.93 dated 03.07.2025. The above-mentioned FIR has been filed for the commission of offence punishable under Sections 106, 281, 105, 324(1), 125(a), 125(b) of Bharatiya Nyaya Sanhita, Police Station Chatiwind, District Amritsar.

2. The above-mentioned FIR came into being at the instance of Simranjit Singh, hereinafter being referred to as complainant only. It was



stated by the above-named complainant that on 03.07.2025, he alongwith his family members had visited a fair, held at Shaheed Bhai Mani Singh Gurudwara village Ratol. According to complainant in return journey he alongwith his uncle was travelling on a motorcycle, whereas his other family members i.e. father Paramjit Singh, mother Baljinder Kaur, maternal grand mother Jagir Kaur, wife of maternal uncle Ranjit Kaur and sons of maternal uncle Gurnoor Singh and Anmol Singh were travelling in an auto rickshaw

3. According to complainant he was following the above-mentioned auto rickshaw, wherein his family members were travelling, and that on the way near 'Gurudwara Tahla Sahib' a white colour Swift car bearing No.DL-3C-BU-7133, being driven at a high speed and in a rash and negligent manner, came on wrong side and hit the auto rickshaw. According to complainant in view of above-said collision, of the car and the auto rickshaw, both the auto rickshaw and the car fell in road side ditches and in the above-mentioned accident, his above-named family members suffered injuries which were grievous in nature. It was also sated by the complainant that the injured were admitted in the hospital, but on account of injuries suffered in the above-mentioned accident Jagir Kaur, Ranjit Kuar, Gurnoor Singh and Anmol Singh died.

4. It is the case of the prosecution that in view of above-mentioned statement, formal FIR of this case was lodged, for the commission of offence punishable under Sections 106, 281, 324(4), 125(a), 125(b) of Bharatiya Nyaya Sanhita and the investigation was taken up.

5. As per case set out by prosecution during the course of investigation the Statement of Ranjit Kaur was recorded by the Investigating



Officer and a new story was set-out vide, above-mentioned statement. According to Ranjit Kaur just before the accident the passengers travelling in the auto rickshaw had warned the driver of the car because he was driving the car in a rash manner. As per above-mentioned statement the petitioner had indulged in arguments with the passengers of auto rickshaw, and thereafter, got annoyed. According to Ranjit Kaur, when auto rickshaw reached near Gurudwara Tahla Sahib, the petitioner came in his car at a very high speed and deliberately hit the auto rickshaw, due to which the passengers travelling in the auto rickshaw suffered serious injuries. It is the case of the prosecution that in view of above-mentioned statement vide Rapat No.15 dated 14.07.2025 Section 105 of BNS was added in the present case.

6. Heard.

7. The record has been perused carefully.

8. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration, for a decision: -

- i) that the petitioner is already in custody for a period more than 07 months;
- ii) that the petitioner has clean antecedents;
- iii) that there is no allegation against the petitioner that he was having any kind of enmity, either with the driver of the auto rickshaw or with any passenger travelling therein. The story set-out by the prosecution, with regard to deliberate collision of his car with the auto rickshaw did not come at the first instance when the FIR was lodged, despite the fact that the complainant is a family member of the deceased and he has claimed that he was an eye witness of the occurrence as he was following the auto rickshaw;
- iv) that the story developed by the prosecution during the course of



investigation fails to convince a prudent mind as the manner in which accident is alleged to have been caused by the petitioner, was nothing less than a suicidal attempt;

- v) that there is no allegation against the petitioner that he was not a licensed driver or that he was under the influence of any liquor etc;
- vi) that nothing has been left to be recovered from the possession of petitioner;
- vii) that the detention of petitioner in judicial lock-up is not likely to serve any useful purpose;
- viii) that the trial is not likely to be concluded in near future;
- ix) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses;
- x) that there is nothing on record to show that if released on bail, the petitioner will not co-operate/participate in the trial.

9. In the present case, the principles of law laid down by the Hon'ble Supreme Court of India in the case of 'Dataram versus State of Uttar Pradesh and another', (2018) 3 SCC 22, are relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have



been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

10. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil Vs. Central Bureau of Investigation and Another’ (2022) 10 SCC 51, are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to legal principles. We cannot mix up consideration of a bail application, which is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal with continued custody would be a case of grave injustice”.

11. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be



said that his right to have a speedy trial under Article 21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

12. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to the accused as mandated by Hon’ble Apex court in “Balwinder Singh versus State of Punjab and Another”, 2024 SCC Online SC 4354.

13. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail, and that the present petition deserves to be allowed.

14. Accordingly, without commenting anything on the merits of the case, the present petition is hereby **allowed**. The petitioner is hereby ordered to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However the abovesaid concession shall be subject to following conditions:-

- (i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- (iii) that the petitioner shall not leave India without prior permission of the trial Court.

(SURYA PARTAP SINGH)
JUDGE

26.02.2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No