



CRM-M-65514-2025

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

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**CRM-M-65514-2025
Reserved on 18.02.2026
Pronounced on: 20.02.2026**

NAVRAJ SINGH

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Chandan Singh, Advocate,
Mr. Gurneet Budhiraja, Advocate,
Ms. Reema, Advocate
for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab.

SURYA PARTAP SINGH, J.

1. This is first petition for bail, filed by the petitioner with regard to a case arising out of FIR No.129 dated 30.05.2025 under Sections 105, 118(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, Sections 9, 9B and 12 of the Explosives Act, 1884 and Section 92 of Factories Act, 1948, Police Station Lambi, Sri Muktsar Sahib. In nut-shell the facts emerging from record are that the above-mentioned FIR came into being when SI Karamjeet Kaur got a tip-off that an illegal factory, for the production of firecracker was being run at



Malout-Bathinda bypass-road, by Tarsem Singh his wife 'Sukhchain Kaur' and son 'Navraj Singh', and that in the above-mentioned factory numerous migrants labourers were working. According to above-named Sub-Inspector, it was also informed that in the preceding night a blast had taken place in the above-mentioned factory due to which number of migrant labourers got buried under the debris, and few of them had died.

2. It is the case of the prosecution that in view of above-mentioned information, the formal FIR was lodged and the investigation taken up.

3. Heard.

4. It has been contended on behalf of petitioner that petitioner is innocent, who has been falsely implicated in the present case. At the very outset it has been contended by learned counsel for the petitioner that the benefit of bail has already been afforded to co-accused Raj Kumar and the case of the petitioner stands on the same footing. It has also been contended by learned counsel for the petitioner that otherwise also in the present case no negligence can be attributed to the petitioner as he was already having a Certificate issued by Fire Department.

5. In support of his contentions, the learned counsel for the petitioner has relied upon the principles of law laid down by the Hon'ble Supreme Court of India in the case of 'Balwinder Singh vs. State of Punjab & Anr.' SLP (Crl.) No.8523/2024, 'Tapas Kumar Palit vs. State of Chhattisgarh' 2025 INSC 222, 'Nitinchandara Somnath Raval vs. State of Gujarat & Ors' 2020(2) SCC(Cri) 130, 'Bhalchandra and another vs. State of Maharashtra' 1968 AIR Supreme Court 1319, by this Court in the case of 'Inderjit Singh vs. State of Punjab' CRR-4804-2018 [decided on 28.01.2019] and by High Court of Karnataka in



the case of 'Ramdas Narayan Ghoprade and others vs. State of Karnataka' 2025 SCC OnLine Kar 16657. It has been contended by learned counsel for the petitioner that in view of the fact that no negligence can be attributed to the petitioner, even charge for the commission of offence under Section 304-A IPC is not made out against the petitioner.

6. The learned State counsel has controverted the above-mentioned arguments. It has been contended by learned State counsel that allegations in the present case are of very serious nature as due to illegal act committed by the petitioner five persons died. It has been further argued by learned State counsel that in the present case although the petitioner has tried to build up his case by alleging that the Fire Department had issued a 'Safety Certificate', but the most glaring criminal act of the petitioner is that for running a factory of firecrackers, he did not obtain requisite licence under Explosives Act. While claiming that for want of licence under Explosives Act the petitioner is liable to be prosecuted for the commission of offence punishable under Section 304-A IPC, the learned State counsel has urged for the dismissal of present petition.

7. The record has been perused carefully.

8. A perusal of record shows that in the present case the entire thrust of arguments of learned counsel for the petitioner has been that a 'Fire Safety Certificate' had been issued by the Fire Department prior to the incident, and therefore for any accident which took place in the premises of firecracker factory, the petitioner cannot be held liable. However with regard to above this argument of learned State counsel has got forced that Fire Department was only one department from where NOC was supposed to be obtained by the petitioner, and that for running a factory of firecrackers the licence under



Explosive Act was supposed to be obtained by the petitioner. Since there is no *prima facie* evidence to show that any licence under Explosive Act was issued for running a factory by the petitioner, it is hereby held that the principles relied upon by learned counsel for the petitioner, i.e. principles laid down in the cases Balwinder Singh (supra), Tapas Kumar Palit (supra), Nitinchandara Somnath Raval (supra), Bhalchandra (supra), Inderjit Singh (supra) and Ramdas Narayan Ghoprade (supra), are not applicable to the facts and circumstances of present case.

9. Taking into consideration the fact that allegations against the petitioner are that he was running a factory of firecracker in an illegal manner i.e. without requisite licence and the above-mentioned illegal act of the petitioner resulted into loss of lives of five persons. It is hereby held that at this stage, the petitioner is not entitled for the benefit of bail and his petition for bail deserves dismissal. Hence, the same is hereby **dismissed** accordingly.

(SURYA PARTAP SINGH)
JUDGE

20.02.2026

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