

2026:PHHC:093437



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-32902-2026

Harmanjot Singh

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	08.07.2026
2	The date when the judgment is pronounced	10.07.2026
3	The date when the judgment is uploaded on the website	10.07.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jaskamal Singh Grewal, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case bearing FIR No. 99 dated 10.05.2026 registered under Sections 281, 105 and 324(4) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) at Police Station Badali Ala Singh, District Fatehgarh Sahib.

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2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant-Jaspreet Singh @ Jassi, alleging that he had closed his shop at about 9:00 p.m. and was making preparations to return to his house, when Avtar Singh, Mohan Singh and Satwinder Singh arrived there on two motorbikes. After having some conversation, all of them proceeded towards their village. When they reached near village Bibipur,. Suddenly, a Scorpio vehicle came from the opposite direction. It was being driven at a high speed and in a rash and negligent manner. The driver of the said vehicle overtook the motorbike of the complainant and rammed it into the motorbike being driven by Mohan Singh, who was riding ahead of him. The Scorpio vehicle thereafter struck the motorbike of Avtar Singh, due to which Avtar Singh, Mohan Singh and his pillion rider, Satwinder Singh had fallen on the road and sustained injuries. The petitioner, who was driving the offending vehicle, came out of the vehicle and disclosed his name and particulars. He was in a state of intoxication and thereafter, he fled from the spot. The victims were rushed to the hospital, but were declared brought dead. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 10.05.2026. The offending vehicle was taken into custody. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since long. He is not required for further investigation. Trial will take considerable time to conclude. The ingredients for commission of offence punishable under

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Section 105 of the BNS are totally missing in this case, as there is no material whatsoever on record to show that the deaths of the victims were caused by him with an intention to do so. His further incarceration would not serve any useful purpose. His involvement of the petitioner in other cases cannot be considered to be a reason for denying the benefit of bail to him. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that the allegations against the petitioner are serious in nature, as by driving his vehicle at a high speed and while under the influence of liquor, he caused the death of three innocent persons. His antecedents are not clean. There are chances of his committing similar offences, if extended the benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner is alleged to have driven his vehicle in a rash and negligent manner on the fateful night and, by doing so, is alleged to have struck the same against the vehicles of the victims, who had died due to the impact of the injuries as sustained by them. It is only on a thorough assessment of the evidence to be produced during trial that any conclusion as to the commission of offence punishable under Section 105 of the BNS can be drawn against the petitioner. The petitioner is not required for further investigation, which stands concluded. Trial will take considerable time to conclude. The fact that he has been involved in some cases in the past and at present cannot,

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by itself, be considered to be a reason for denying the benefit of bail to him. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentencing and that bail is the rule and jail is an exception. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. In view of the discussion made above, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore and he has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

- 7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
- 8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

10th July, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |