



CRM-M-57287-2025

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

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CRM-M-57287-2025

Date of Decision: 13.10.2025

Gursharan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: - Mr. Vinod Ghai, Senior Advocate with
Mr. Arnab Ghai, Advocate, and
Mr. Kashish Sahni, Advocate for the petitioner

Mr. Satjot Singh Chahal, Assistant Advocate General, Punjab

Mr. A.P.S. Deol, Senior Advocate with
Mr. A.P.S. Maan, Advocate for the complainant

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed under Section 482 B.N.S.S. for grant of pre-arrest bail in case FIR no.178, dated 14.09.2025, registered under Sections 281, 125(a), 125(b), 105, 324(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, at Police Station Division-6, District Police Commissionerate, Jalandhar, Annexure P-1.

2. The FIR has been lodged on the following allegations:

On 13.09.2025, I and my son, after our personal work, were coming back to our house from Model Town. Then I was in my car No.PB-08-L-0001 mark Marazzo and ahead of me, my son Richy K.P. was going in Fortuner car no.PB-08-AT-0001. When we reached near Bata showroom near Mata Rani Chowk,



Model Town, Jalandhar, then a car no. PB-08-FK-7073 Grand Vitara suddenly came in front of the car of my son and the car no. PB-08-DB-6500 mark Creta, following it, came at a very rash speed, which hit in the car of my son, by virtue of which my son Richy K.P. died on the spot.

Subsequent thereto, on the basis of supplementary statements of the complainant and an eye-witness Sewak Singh, recorded vide General Diary (GD) entries no.34 and 35 dated 30.09.2025, the petitioner was nominated as an accused in the case.

3. Learned senior counsel for the petitioner has contended that Grand Vitara car that hit the deceased's vehicle was driven by the co-accused Vishu Kapoor, who along with his wife and son also got injured in the accident. The petitioner was behind him in his Creta car, and was not responsible for the accident. He has been implicated in the case on the basis of statements recorded about two weeks after lodging of the FIR, which itself establishes it to be a case of false implication under undue influence of the complainant. Besides, the offence under Section 105 BNS is not even *prima facie* made out against him as being in the car following that of the co-accused, he cannot be attributed any knowledge or intention to commit the offence.

4. Learned State counsel as well as learned senior counsel for the complainant have submitted that the accident has been caused by both the cars, the one driven by the co-accused as also the one driven by the petitioner. And registration numbers of both the cars are mentioned in the FIR itself. The allegation specifically is that the petitioner's Creta car came at a very high speed and hit the deceased's car. So the offences alleged are clearly made out

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as the vehicle was being driven by the petitioner at a breakneck speed in the dead of the night in a thickly populated residential area. This reckless act has resulted in loss of life of a young man, and it cannot be said the petitioner did not have the knowledge that his act of driving the vehicle at such a speed can be fatal to someone. It is also contended that he ran away from the spot and tried to destroy the evidence. The offending vehicle was initially hidden by him in the basement of a local Gurudwara, which has later been recovered from its premises. His custodial interrogation is required for the purpose of investigation which is underway.

5. Considering the submissions made by learned counsel for the parties, this Court is not inclined to accept the prayer for grant of pre-arrest bail to the petitioner. The allegations are very serious, and due to driving of the vehicles at abnormally high speed, an innocent young life has been lost. Thus, custodial interrogation of the petitioner is necessary to establish the facts and complete the chain of events.

6. Petition stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

13.10.2025*Payal*

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