

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-23916-2025  
Reserved on: 01.08.2025  
Pronounced on: 18.08.2025

Ram Diya Singh ...Petitioner

Versus

State of Haryana ...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. S.S. Jatana, Advocate  
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

Mr. Sandeep Gahlawat, Advocate  
for the complainant.

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**ANOOP CHITKARA, J.**

FIR No.	Dated	Police Station	Sections
203	27.08.2024	Sadar Ambala, Distt. Ambala	105, 238(b) of BNS (Sections 105 and 238(b) added later on and Sections 106 and 281 BNS deleted)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. As per paragraph 23 of the bail petition, the petitioner has no criminal antecedents.

3. The facts of the case are being taken from status report reply dated 28.07.2025 filed by the concerned Deputy Superintendent of Police, which reads as follows:

*"4. That as a matter of fact, the present case was registered against the accused-petitioner Ramdiya Singh and co-accused Jitender Singh @ Jitander Singh on the complaint of Complainant, Swaran Singh after receiving Rukka from the treating physician of Civil Hospital, Ambala City. For the sake of brevity, the contents of the complaint/case FIR are as follows: "On the night of 26/27.08.2024, information/Rukka was received from Police Post Civil Hospital Ambala City that Harpreet Singh, son of Shri Balbir Singh, resident of village Balana Ambala City has come to the hospital in injured condition due to injuries sustained in RSA. After treatment, he has been referred to GMCH SEC-32 CHD. At the same time, on the same night, information was received from Police Post GMCH SEC-32 CHD that Harpreet come to the hospital in injured condition as per CR No. 240813289 due to injuries sustained in RSA. He died during treatment. It was requested to send IO for action. Action could not be taken as it was night time. On 27.08.2024, ASI Naresh Kumar and ASI Darshan Lal reached GMCH SEC-32 CHD for proper proceedings. Where*

*IO reached the mortuary after getting the Rukka from PP GMCH SEC-32 CHD regarding the deceased Harpreet Singh. Where the deceased's brother Shri Swarn Singh, son of Shri Narmail Singh was found present. He got his statement recorded to ASI Naresh Kumar alleging therein that he is a resident of the above address. He is working in a government school and his duty is in village Lahadpur Sadhaura, District Yamunanagar. His father has three brothers in which Balbir Singh is the second who is his uncle. He has two sons, out of which Harpreet Singh, son of Shri Balbir Singh is the eldest son. He is married and works as a driver in PKR Jain School. He used to go to his duty in the morning and return home in the evening. On 26.08.2024 at around 7.00 PM, his uncle's son Harpreet Singh came to village Dhurkada from his village Balana on his motorcycle number HR-01Z-6085 for some personal work. After that at around 9.30 PM he received a call that his uncle's son Harpreet Singh has met with an accident near village Balana by an unknown driver of an unknown vehicle by hitting his vehicle from the front due to which he has been injured. Passers-by have brought him to Civil Hospital Ambala City. He should also reach there immediately. He reached Civil Hospital at the same time with his father Narmail Singh, his cousin brother Aman Kumar and others where his uncle's son Harpreet was being treated in the hospital. After treatment, his uncle's son Harpreet was referred to GMCH, Sector 32, Chandigarh. They immediately got him admitted to GMCH SEC-32 CHD for treatment where his uncle's son Harpreet Singh was declared dead after checking. This accident was caused by an unknown vehicle-driver whose name and address are unknown, who had driven his vehicle carelessly due to which his uncle's son Harpreet died. On the basis of statement of the complainant FIR was registered under sections 281 and 106 of BNS."*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. The State's counsel opposes bail and refers to the status report.

7. Counsel for the complainant opposes bail on the ground that the petitioner is visible in CCTV footage, petitioner and co-accused picked up the victim from the spot and threw him in bushes by the side of road with active knowledge that he would die there as he was unconscious. For addition of further Section, matter is still pending with SIT.

8. It would be appropriate to refer to the following portions of the status report, which reads as follows:

*“10. That during the course of further investigation of the present matter, and in order to elicit the truth regarding the persons involved in the commission of the offences, on dated 19.10.2024, after careful perusal of CCTV footage, the offence under section 105 BNS was found to have been committed and thus the same was added in the present case FIR. Further, during the course of investigation, after having sufficient evidence available on the case file, on dated 21.10.2024, the IO issued notice to accused-petitioner Ramdiya Singh under section 35 BNSS, who after receiving the same, was again joined in the investigation of the present matter, and during investigation, again suffered his disclosure statement which was reduced into writing, wherein he admitted that he hit the deceased with his vehicle and after committing accident, ran away from the spot. For the kind perusal of this Hon'ble Court, the true typed translation of the disclosure statement of the accused-petitioner, Ramdiya Singh made by him on dated 21.10.2024 is annexed herewith as Annexure R-4 (Vernacular also attached). That thereafter, the IO produced the accused-petitioner, Ramdiya Singh before the Ld. Illaqua Magistrate, Ambala on dated 21.10.2024 and after hearing contentions from both the sides at length, the accused-petitioner was sent to judicial custody and since 21.10.2024, accused-petitioner in judicial custody. For the kind perusal of this Hon'ble Court, the Custody Certificate of the accused-petitioner is annexed herewith as Annexure R-5.”*

**REASONING:**

9. The allegations are serious against the petitioner and his conduct as per allegations is condemnable. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 19 of the bail petition, the petitioner has been in custody since 21.10.2024. As per the custody certificate dated 28.07.2025, the petitioner's total custody in this FIR is 09 months and 08 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	

3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms.
14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.
15. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.
16. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.
17. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
18. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.
19. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

18.08.2025  
Jyoti-II

Whether speaking/reasoned: Yes  
Whether reportable: No.