



CRM-M-49293-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-49293-2025
Decided on : 09.09.2025

AMRITPAL SINGH DHILLONPetitioner

Versus

STATE OF PUNJAB & ANRRespondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kanwaljit Singh, Senior Advocate, with
Mr. Jashan Preet Singh Deol, Advocate, for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amritpal Singh Dhillon, aged about 27 years	114	14.07.2025	281, 105 of BNS	Adampur	Jalandhar Rural

2. Learned Senior Counsel for the petitioner contends that FIR in the present case was registered at the instance of Harvinder Singh, who, although is not an eye-witness to the incident, but son of the deceased, Fauja Singh.

3. Referring to the contents of the FIR, learned Senior counsel for the petitioner submits that even if the allegations are taken to be true at face value, the case appears to be one of death, caused due to rash and



negligent driving by an unknown driver. Notably, FIR does not mention registration number of the vehicle involved or the name of the driver.

It is further argued that there is no allegation in the FIR suggesting any intention, prior knowledge, or even a hint of motive on the part of the driver to cause the incident that resulted in the death of a human being.

4. Learned Senior Counsel fairly acknowledges that deceased, Fauja Singh, was a renowned marathon runner who had brought significant recognition to the country, even at the international level. However, counsel asserts that the mere fact that such a reputed individual died in the accident cannot, by itself, justify invoking Section 304 of the IPC (now Section 105 of the BNS), particularly when the incident is, at best, a case of rash and negligent driving.

5. It is admitted in the FIR that deceased had gone for a walk around 3:15 PM, and the alleged accident occurred near Kuldeep Dhaba on the GT Road, National Highway, at Beas Pind, Jalandhar. Therefore, it is submitted that the question of whether the accident occurred solely due to the rash and negligent act of the driver or due to any other contributing factor is a matter that can only be determined during the course of trial by the learned trial Court.

Furthermore, petitioner is in judicial custody since 15.07.2025, i.e., for a period of 1 month and 23 days. As of now, *challan* has not been presented, and trial is yet to commence. Moreover, petitioner has no criminal antecedents and there is no apprehension of his absconding or tampering with the prosecution evidence. In these



circumstances, learned Senior Counsel submits that petitioner deserves to be granted the concession of regular bail in the present case.

6. Learned State counsel, produces the custody certificate dated 08.09.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

7. Learned State counsel is unable to dispute any of the factual assertion as stated by counsel for the petitioner today before this Court. However, he prays for dismissal of the present petition.

8. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the material available on record.

9. It cannot be overlooked that offence under section 281 of the Bharatiya Nyaya Sanhita (BNS) is categorized as bailable one. Furthermore, at this stage, it is inconclusive as to whether the death of deceased Fauja Singh took place due to the mere rash and negligent act of the petitioner or same would amount the offence of culpable homicide, having knowledge of his own act. Therefore, applicability of Section 105 of BNS is not definite and same requires to be established by way of leading evidence in that regard. May be, case in hand, falls ultimately to be punishable under Section 304-A of IPC (now Section 106 of BNS), which also is a bailable offence.

10. In view of the totality of circumstances, nature of allegations levelled against the petitioner, and the other relevant factors discussed above, this Court is of the opinion that petitioner, in light of the nature of



the alleged act, does not deserve to be detained in custody for an indefinite period. His further incarceration, if at all required, can only be justified after the final outcome of the trial. Therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

11. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

12. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.09.2025

Lavisha

Whether Speaking/Reasoned:

✓ YES/NO

Whether Reportable:

✓ YES/NO