



CRM-M-58478-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-58478-2024(O&M)
Date of Decision: 02.04.2025

Sanjeev Verma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Anil Kumar Spehia, Advocate for the petitioner.

Mr. S.S.Chahal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of pre-arrest bail to the petitioner in FIR No.0233 dated 01.11.2024, under Sections 106, 281, 324(4), 324(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') [under Sections 105, 228, 56, 249 and 212 of BNS added later on], registered at Police Station Division 6, District Police Commissionerate Jalandhar.

2. Allegations are that petitioner is the owner of XUV-500 car bearing registration No.PB-08EF-0900 which was being driven negligently by co-accused; hit the vehicle of the complainant; leading to the death of her brother as well as father.

3. Contends that petitioner was granted interim bail by the Coordinate Bench, vide order dated 25.11.2024 and in pursuance thereof, he



has already joined investigation. Moreover, during investigation, he has found to be innocent; hence, his custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned and submits that his custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by the Coordinate Bench, vide order dated 25.11.2024 and the order reads as under:-

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0233, dated 01.11.2024, Police Station Division 6, District Police Commissionerate Jalandhar, under Sections 106, 281, 324 (4), 324 (5) of the Bharatiya Nyaya Sanhita (BNS), 2023 (Sections 105, 228, 56, 249 & 212 of BNS 2023 added later on).

The FIR in question was lodged at the instance of Rishita Sharma wherein it is alleged that on 31.10.2024 when she alongwith other members of her family was getting out of a restaurant after having dinner and were going to sit in their car, then one vehicle ie. XUV-500 bearing registration No.PB-08EF-0900 came from the rear side which was being driven rashly and negligently and hit against their vehicle leading to death of her father and brother.

Learned counsel for the petitioner submits that he was not driving the XUV-500 bearing registration No.PB-08EF-900 and has been roped in simply on account of the fact that he is owner of the vehicle in question. It has further been submitted that the police has already arrested the petitioner's son, namely Nishchay Verma on the premises that he was driving the vehicle.

Learned counsel submits that he being the father could have legitimately handed over his vehicle to his son who in any case was holding a driving licence and that the petitioner cannot be attributed any intention with regard to the commission of the alleged offence.

Notice of motion 02.04.2025

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2)



CRM-M-58478-2024

3

Cr.P.C.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 25.11.2024 is made absolute subject to the conditions as envisaged under Section 482(2) of BNS.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

02.04.2025

Rajeev (rvs)

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No