



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(220) CRM-M-31204-2025 (O & M)
Date of decision: 08.09.2025

Ishaan Shankar Roy

... Petitioner

V/s

The Union Territory, Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. R.S. Rai, Sr. Advocate, with
Mr. Parvez Chaudhary, Advocate,
Ms. Radhika Mehta, Advocate,
Mr. Arjun S. Rai, Advocate,
Mr. Digvijay Singh, Advocate and
Ms. Arveen Sekhon, Advocate, for the petitioner.

Mr. Manish Bansal, PP, U.T., Chandigarh
with Mr. Navjit Singh, Advocate.

Mr. Ashwani Nagra, Advocate,
for the complainant.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.36 dated 12.05.2025 under Sections 281 & 106(1) of BNS, 2023 and later on added Section 105 BNS, 2023 registered at Police Station Sector 3, Chandigarh.

2. The present FIR came to be registered at the instance of Ashish Chaudhary and reads as under:-

Statement of Ashish Chaudhary s/o Shravan Chaudhary R/o 74 Knasal Enclave Vill Kansal (Pb) age 24 years Mob No. 7409989898 stated that I reside at the above address with my family and do private work. Around 6:45 Pm, I was sitting in my car and going from Sector 10 market towards Sector 9/10 Dividing Road small chowk, when I saw two cars racing at a



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high speed from the High Court side. The front car was a BMW M-2 sky blue in color, and the car behind was a BMW Series 3 dark gray type. The Series 3 BMW car hit a cyclist who was going from Sector-9 cycle tract to Sector-10 cycle tracks. The cyclist was thrown a considerable distance, and his bicycle got stuck under the car, which dragged the bicycle for a long distance. I ran towards the injured boy and saw the car number T0125CH1765A, BMW Series-3. The car driver looked back from his driver's side, and I saw the car driver's face. The car driver fled the scene with his car number T0125CH1765. Some passerby called 112. I also called 112 and 100 from my mobile, but my number did not connect to the C/Room. Meanwhile a PCR arrived at the scene. With the help of the policemen, I put the injured cyclist in the PCR vehicle and sent him to the hospital for treatment. This accident was caused by the driver of car no. T0125CH1765, who hit the cyclist directly at a very high speed, without blowing the horn, due to negligence and rash driving. Legal action should be taken against the driver of this car No. T0125CH1765. I will identify the car driver when he comes forward. Statement written and heard, confirmed as correct. SD Ashish Choudhary.

3. The learned Senior counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Taking the allegations to be correct, the offence, if any, is under Section Section 106 (1) BNS (Section 304-A IPC). In fact, the accident occurred due to the sudden appearance of the cyclist on the road. As the petitioner is a first-time offender, in custody since 12.05.2025 but none of the 24 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.



4. The learned counsel for the State and the counsel for the complainant, on the other hand, contend that the allegations against the petitioner are grave. He was driving at a very high speed on a road which sees substantial traffic. In fact, he was driving a BMW car and was racing with another car and was doing stunts in public which act would amount to the commission of an offence under Section 105 BNS (Section 304 IPC). The nature of the allegations do not entitle him to the concession of bail. He, however, concedes that the petitioner is in custody since 12.05.2025 and that none of the 24 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against petitioner shall be adjudicated upon during the course of the trial. Admittedly, he is in custody since 12.05.2025 and none of the 24 prosecution witnesses has been examined so far. Therefore, the trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Ishaan Shankar Roy is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other case/crime other than the present one.

9. If any attempt whatsoever is made by the petitioner and/or his family members/friends to contact/threaten/intimidate any of the witnesses



of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

10. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

11. The passport of the petitioner, if any, be deposited with the Trial Court.

12. The petition stands disposed of.

13. The pending application(s), if any, shall stands disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

September 08, 2025
sukhpreet

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