

CRM-M-56157-2024

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

CRM-M-56157-2024  
Reserved on: 01.04.2025  
Pronounced on: 21.04.2025

Karanvir Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sourabh Bedi, Advocate  
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
77	05.04.2024	Samrala, District Khanna	279 and 304 reduced to 304 A IPC

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 custody certificate dated 30.03.2025, the accused has no criminal antecedents.

3. The facts and allegations are being taken from the reply dated 30.11.2024, filed by the State, which reads as follows:

*“That the brief facts of the case are that the present case has been registered on the basis of the statement of the complainant Hasin to the effect that on 05-04-2024 he was returning from Chandigarh to Ludhiana on his motorcycle (PB-91-T-5405) make TVS along with Sona, Pooja, and Janu. They stopped at a dhaba near Samrala bypass for tea. Around 6:15PM. after realizing that he had forgotten his helmet at the dhaba, he asked Sona, Pooja, and Janu to wait by the roadside while he went back to retrieve it. During this time, a car (Honda Accord, PB-07-V-3600), driven recklessly and at high speed, ran over the three aforesaid persons i.e. Sona, Pooja, and Janu. The car became uncontrollable and hit the footpath. Thereafter, the driver alighted from the said car and identified*

CRM-M-56157-2024

*himself as Karanvir Singh (petitioner). Thereafter, the petitioner fled from the spot. Thereafter, Sona, Pooja, and Janu were brought to the Civil Hospital Samrala, where the concerned Doctor declared them dead. Hence, initially, the present FIR was registered under section 279, 304-A, IPC added section 304, IPC and deleted section 304-A, IPC.”*

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 their family.

REASONING:

5. Petitioner’s counsel argued that alcohol is not connected. State counsel disputes it and refers to para 6 & 7 of the reply dated 30.11.2024, which reads as follows:-

*“6. That the petitioner was arrested on 06.04.2024. That further as per the post mortem examination reports of Sona, Pooja and Janu, the cause of their death is due to the injuries suffered by them in the abovementioned accident, which is sufficient to cause death under ordinary course of nature. Copies of Postmortem Reports are Annexure R1.*

*7. That it is pertinent to mention here that the blood Sample and urine sample of the petitioner were taken and the same were sent to FSL for chemical examination. The report of the chemical examination has been received in which Ethyl alcohol found positive having concentration 161/mg/100ml. Copy of the FSL report is Annexure R2.”*

6. Given above, alcohol was found in the blood of the petitioner, as such this argument is without substance. Petitioner’s next argument is that blood sample was taken on 09.04.2024. State has referred to copy of the medical certificate, as per which petitioner’s blood sample was taken on 05.04.2024 at 8.20 PM and the certificate was attested by medical officer of SDH, Samrala. Given above, this argument is also contrary to the evidence and it is rejected. Petitioner’s next argument is that blood sample was sent to the laboratory after twenty days. This argument is premature and even if sample was sent even after twenty days but the more important is that whether the sample had lost its substance or it had dis-integrated or unfit. Further that whether during period it was not in safe possession. All that depends on the evidence and to decide this submission in the absence of police officials and the doctors, would be violative of principles of *audi alteram partem*. Thus, this point is also baseless and rejected. The petitioner’s next argument is that no independent witness saw the accident. This argument is absolutely baseless because it is not necessary that any eyewitness would see every road accident. Thus petitioner is not entitled to bail even on this argument. Next argument is that petitioner was arrested on 06.04.2024 and accident took place on 05.04.2024 which shows that he was falsely implicated. This argument is also baseless for the reason that petitioner was identified at the spot by the complainant’s driver Hasain. This argument

CRM-M-56157-2024

has no mean. Moreover, he was produced for medical examination on 05.04.2024. Petitioner's next argument is that no bottle of liquor was found in the car. If this argument is taken as having any legal force, it would assume that people who drive and drunk, always keep liquor in the car and this is beyond the conversance and even this point is also rejected. Petitioner's final argument is that he is in custody for around one year. As per custody certificate dated 30.03.2025, petitioner's custody in this FIR is 11 months & 23 days and accordingly as of date, his custody is around one year. Thus, considering the petitioner's custody and the fact that petitioner had no prior motive, premeditation and commit to kill those people coupled with the delay in the trial, this court does not deem it appropriate to incarcerate the petitioner further. Thus, on the ground of custody, petitioner is entitled to bail.

7. 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.

8. 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.

9. 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)	

10. 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.

11. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

12. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

13. A certified copy of this order would not be needed for furnishing bonds, and any

CRM-M-56157-2024

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.

14. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

21.04.2025  
anju rani

Whether speaking/reasoned: Yes  
Whether reportable: No.