

**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-35720-2026 (O&M)****TEHSEEM****...Petitioner****Versus****STATE OF HARYANA****...Respondent**

Sr. No.	Particulars	
1.	The day when the judgment is reserved	07.09.2026
2.	The day when the judgment is pronounced	09.09.2026
3.	The day when the judgment is uploaded on website	09.09.2026
4.	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment and reasons thereof	Not applicable

Coram: Hon'ble Mrs. Justice Shalini Singh NagpalPresent: Mr. Imtiyaz Hussain, Advocate
for the petitioner.

Ms. Kanica Sachdeva, DAG Haryana.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks regular bail in case arising out of FIR No. 200 dated 02.04.2026 under Sections 106, 125(a), 281 Bharatiya Nyaya Sanhita, 2023, Police Station Kundli, District Sonipat. Offences under Sections 105, 115(2) BNS and Sections 181, 39, 192 of Motor Vehicles Act, 1988 were altered during investigation. This is the first petition for regular bail.

2. The case was registered on complaint of Khushbeg Singh Jatana, resident of Model Town, Bathinda, Punjab, who stated that on 02.04.2026, his elder brother Khushbeg Singh Jatana, along with gunman Karandeep Singh and driver Parvinder Singh, was returning from Delhi in Defender bearing registration No. PB-25-K-0006. When they reached near Toll Plaza, Jakholi, District Sonipat, the vehicle had a tyre puncture and



mechanic Furkan, son of Shaukat Ali, was called for its repair. While the vehicle was parked on the side of the road and Furkan was repairing the puncture, complainant's brother, his driver and gunman were standing behind the vehicle. In the meantime, a truck bearing registration No. KA-51-AJ-6077, being driven by its driver Tehbeem at a high speed and in a rash and negligent manner, came from behind and struck them, as a result of which Khushbeg Singh Jatana and Parvinder Singh sustained fatal injuries and succumbed thereto, while Karandeep Singh and Furkan sustained injuries.

3. Learned counsel for the petitioner submits that petitioner was in custody for the last more than 05 months. Investigation in the case was complete. He further submits that petitioner was innocent and had been falsely implicated. The occurrence arose out of a road side accident. There was no allegation of prior enmity, motive or planning on part of the petitioner. A simple case of death by rash and negligent driving was converted into a case under Section 105 Bharatiya Nyaya Sanhita, 2023 on mere assumptions. There was no credible evidence to establish that petitioner was intoxicated at the time of alleged incident. Further detention of the petitioner in the case was, thus, not required and prayer is to enlarge him on regular bail.

4. Learned State counsel has files status report along with custody certificate and opposed the prayer for regular bail arguing that petitioner, who was driving a truck in state of intoxication, caused death of two persons, who were standing near stationary vehicle and injured two others. After the incident, he left the scene with the truck and was subsequently arrested. He was driving at high speed after consuming alcohol. He was



involved in two other cases. As such, he was a habitual offender. Blood samples of the petitioner were taken and sent to Forensic Science Laboratory for analysis. As such, petitioner did not deserve to be enlarged on regular bail.

5. The complaint, on the basis of which, FIR was registered, alleges that petitioner was driving his vehicle in rash, negligent and careless manner and caused the accident, which resulted in death of two persons injuring two others. Initially, the case was registered under Sections 106, 125(a), 281 BNS. Later, the offence under Section 106 BNS was altered to Section 105 BNS. Investigation in the case is complete and trial is at initial stage. Whether, the petitioner had the requisite intent or knowledge attracting culpability under Section 105 BNS is a question which the trial Court alone can determine, on the basis of evidence to be led during trial. Petitioner has a fixed abode. Though, he is involved in two other cases, that *per se* cannot be the ground to decline the prayer for regular bail. There is no reason to suspect that petitioner would flee from the process of law or would tamper with the evidence. No purpose would be served by detaining him in custody, any longer. In the facts and circumstances of the case, but without a comment on merits, the petition is allowed. Petitioner is ordered to be released on regular bail on furnishing requisite bail bonds/surety bonds to the satisfaction of learned trial Court/Illaq Magistrate/Chief Judicial Magistrate concerned.

6. Pending CRM(s), if any, also stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

09.09.2026

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No