



2026:PHHC:050304



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CRM-M-11666-2026

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

Sr. No.223

**CRM-M-11666-2026  
Date of Decision: 01.04.2026**

**JAGSEER SINGH ALIAS JAGSHIR SINGH****...Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. Rhythem Bajaj, Advocate  
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

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**MANDEEP PANNU, J. (Oral)**

1. This is the first petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (corresponding to Section 439 Cr.P.C.) for grant of regular bail to the petitioner in FIR No. 219 dated 07.10.2025, registered under Sections 105, 125(a), 125(b) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 304, 337 and 338 IPC), at Police Station Maqboolpura, Amritsar, District Police Commissionerate Amritsar.

2. Briefly stated, the present FIR has been registered on the statement of the complainant Amritpal Singh, who stated that he was driving a bus bearing registration No. PB-03-BG-6147. It is alleged that the petitioner, who was also connected with the said vehicle, allowed certain passengers to travel on the roof of the bus due to non-availability of seats. While the bus was returning, the passengers sitting on the roof struck against a bridge near Alpha One Mall, Amritsar, resulting in the death of three

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persons and injuries to another. The petitioner was arrested on 19.11.2025 and is presently in custody.

3. Learned counsel for the petitioner has contended that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the petitioner is in custody for the last about four months and even the charges are yet to be framed, and the trial is likely to take considerable time. It is further argued that no offence under Section 304 IPC is made out and, at the most, the case would fall under Section 304-A IPC being a case of rash and negligent act. It is thus prayed that the petitioner deserves concession of regular bail.

4. Per contra, learned State counsel has opposed the bail application and submitted that the allegations against the petitioner are serious in nature, involving loss of three human lives. It is contended that the petitioner, being responsible for the vehicle, knowingly permitted passengers to travel on the roof, thereby endangering human life. It is further submitted that the negligence on the part of the petitioner is grave and has resulted in multiple fatalities. It is also argued that in case the petitioner is released on bail, there is every likelihood that he may influence the prosecution witnesses.

5. I have heard learned counsel for the parties and perused the record.

6. At this stage, it cannot be conclusively determined whether the act of the petitioner would fall strictly within the ambit of Section 304 IPC or be confined to Section 304-A IPC, as the same would depend upon appreciation of evidence to be led during trial. The distinction between



culpable homicide and rash and negligent act involves examination of the degree of knowledge and intention attributable to the accused, which is a matter to be adjudicated upon after the evidence is brought on record.

7. The allegations in the present case are grave and serious, as three persons have lost their lives and one has sustained injuries. *Prima facie*, it is alleged that the petitioner permitted passengers to travel on the roof of the bus, which is an inherently dangerous act, posing a foreseeable risk to human life. Such conduct, if proved, may attract ingredients beyond mere negligence. It is also pertinent to note that the charges are yet to be framed and the complainant is yet to be examined. At this stage, releasing the petitioner on bail may prejudice the prosecution case. The nature of allegations, the manner in which the occurrence took place and the resultant fatalities do not persuade this Court to extend the concession of regular bail to the petitioner.

8. In view of the seriousness of the allegations and considering that the matter is at a nascent stage of trial, this Court is not inclined to grant regular bail to the petitioner at this stage.

9. Accordingly, the present petition is dismissed.

10. However, nothing stated herein shall be construed as an expression on the merits of the case.

11. All pending applications, if any, also stand disposed of.

**(MANDEEP PANNU)**  
**JUDGE**

**01.04.2026**  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No