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

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Jagjeet Singh

....Petitioner

V/s

State of Punjab

....Respondent

Date of decision: 24.08.2026**Date of Uploading : 24.08.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Kunwar Rajan, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. The present petition (described as first *whereas* actually it is second) has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking concession of anticipatory bail to the petitioner in FIR No.0004 dated 07.01.2026, registered under Sections 106(1), 281, 125(a) and 125(b) of the Bharatiya Nyaya Sanhita, 2023 and Sections 338, 345(3), 340(2), 339 and 61(2) of the BNS (added later on) at Police Station Bajakhana, District Faridkot.

At the outset, this Court finds it necessary to address a material aspect concerning the maintainability and consideration of the petition in hand. Registry has brought to the notice of this Court that the petitioner has, in the present petition, not disclosed the fact that he had earlier also approached this Court seeking the very same relief of anticipatory bail in the same FIR and the said petition has already been dismissed as withdrawn by



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this Court vide order dated 21.04.2026 by a Coordinate Bench of this Court.

The relevant part of said order reads as under:-

“2. After arguing for some time and face with the para 8 to 12 of the status report filed by DSP, Sub-Division Jaitu dated 07.04.2026, learned counsel, on instructions, prays for withdrawal of the present petition, to surrender before the trial Court and file an application for bail, which may be directed to decided in a time bound manner.

3. Dismissed as withdrawn. In case, the petitioners surrender within 7 days and file an application for grant of bail, the same be decided within 3days thereafter, in accordance with law.”

Thus, the present petition is essentially a second attempt to seek concession of anticipatory bail from this Court. This fact/omission on the part of the petitioner is of considerable significance and shall be dealt with separately hereinafter.

2. The gravamen of the allegations, as borne out from the FIR, is that the complainant namely Sattu son of Natha Ram stated before the police on 07.01.2026 that he got married to Mani, daughter of Wazir Nath, about 15-16 years ago and had four children out of the wedlock. His wife — Mani used to go to different villages for selling bhameeriya/spinners and balloons. On 07.01.2026, she had gone towards village Lambhwali along with her eldest daughter Marjeena to sell balloons/spinners. At about 11.00 a.m., the complainant received information that his wife Mani and daughter Marjeena, after alighting from a bus and while proceeding towards village Lambhwali, were hit by a white-coloured car coming from the Faridkot side. At that stage, neither the registration number of the vehicle nor the identity of its driver was known. It has been alleged that the said vehicle was being driven at a high speed and in a rash and negligent manner. The driver, thereafter, fled from the spot along with the vehicle after the accident. The

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injured were taken by the villagers to Civil Hospital, Bajakhana, where Mani was declared dead. Marjeena was given first aid and referred to Guru Gobind Singh Medical Hospital, Faridkot, where she was also declared dead. On these set of allegations, the FIR in question was initially registered against an unknown vehicle/driver under Sections 106(1), 281, 125(a) and 125(b) of the BNS.

During the course of investigation, the complainant subsequently made a supplementary statement in which he stated that the vehicle involved in the accident was being driven by Amritpal Singh son of the present petitioner Jagjit Singh. The investigation thereafter revealed that the vehicle was a white-coloured Scorpio-N bearing registration No.PB-91-7815. When the number plate of the vehicle was taken into possession, it was found to have two different registration numbers written on each side, namely PB-91-7815 on one side and DL-08-CBJ-3176 on the other side. On the basis of the material collected during investigation regarding the alleged use of different registration numbers and the circumstances surrounding the vehicle, Sections 338, 345(3), 340(2), 339 and 61(2) of the BNS were added vide GD No.25 dated 31.01.2026. The petitioner — Jagjit Singh, his son namely Amritpal Singh, who is alleged to have been driving the vehicle, and Gurpreet Singh alias Gora were nominated as accused.

The petitioner initially approached the Sessions Judge, Faridkot for grant of anticipatory bail, which was declined vide order dated 02.03.2026. Thereafter, the petitioner approached this Court and his earlier petition for anticipatory bail was dismissed by this Court on 21.04.2026. However, despite the said dismissal, the petitioner has filed the present

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petition without disclosing either the earlier petition or the order dated 21.04.2026.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated into the FIR in question merely because he is the registered owner of the vehicle and father of the alleged driver namely Amritpal Singh. Learned counsel has further iterated that the petitioner was neither driving the vehicle nor present at the spot and no specific overt act has been attributed to him. According to the learned counsel, no vicarious criminal liability can be fastened merely on account of ownership of a vehicle. It has been further contended that initially FIR was registered against an unknown person and the offence(s) initially invoked were bailable. According to learned counsel, the subsequent addition of Sections 338, 345(3), 340(2), 339 and 61(2) of the BNS is an attempt by the investigating agency to convert a simple case of a road accident into a serious criminal case so as to harass the petitioner. Learned counsel has also referred to the MACT proceedings and submitted that even in the claim petition filed by the complainant, no role or negligence has been attributed to the petitioner. Learned counsel has emphasized that the vehicle has already been released on supurdari/supardari to the petitioner and, therefore, nothing remains to be recovered from him. Moreover, the petitioner has never used or relied upon any alleged forged registration number or document before any authority. It has been further contended that the allegation regarding two different registration numbers on the same vehicle is inherently improbable and Section 61(2) of the BNS relating to criminal conspiracy cannot be mechanically invoked in a case where the principal



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allegation against the driver is rash and negligent driving. Learned counsel has further asserted that there is no need for custodial interrogation of the petitioner as he is ready to join the investigation & shall abide by all the term(s) and condition(s) that may be imposed by this Court. Moreover, there is no likelihood of the petitioner absconding from the process of justice in case he is enlarged on pre-arrest bail. On the strength of these submissions, the grant of anticipatory bail is entreated for.

4. In *oppugnation*, learned State counsel (on the strength of advance notice) has opposed the grant of anticipatory bail to the petitioner by arguing that the petitioner had earlier approached this Court seeking anticipatory bail in the same FIR and the said petition was dismissed on 21.04.2026. Learned State counsel has iterated that the petitioner has deliberately withheld this material fact from this Court. It has been further contended that the earlier order dated 21.04.2026 was passed by this Court after hearing learned counsel for the petitioner, who after arguing the matter for some time, voluntarily sought permission to withdraw the petition and made a categorical statement before this Court that the petitioner would cause his appearance before the concerned Court within a period of 07 days and would seek the concession of regular bail. The said statement was duly recorded in the judicial order and the petition stood dismissed as withdrawn accordingly.

4.1. On merits, learned State counsel has submitted that the petitioner does not deserve the concession of anticipatory bail on the ground that the investigating agency has collected material connecting the petitioner with the vehicle and with the circumstances in which two different



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registration numbers were found on the number plate of the vehicle. The petitioner is the registered owner of the vehicle in question. Accordingly, the dismissal of the petition in hand is prayed for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. It would be apposite to refer herein to a judgment passed by this Court in a titled as ***Bhisham Singh vs. State of Haryana, 2024(3) RCR(Criminal) 65***, relevant whereof reads as under:-

“11. As an epilogue to the above rumination, the following principles emerge:

I Second/successive anticipatory bail petition(s) filed under Section 438 of Cr.P.C., 1973 is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.

II Such second/successive anticipatory bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III For the second/successive anticipatory bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice.

IV No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Accordingly, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive anticipatory bail petition(s).

V In case a Court chooses to grant second/successive anticipatory bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s)



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ought to be readily and clearly decipherable from the said order passed.

VI Once a plea for anticipatory bail has been dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or dismissed on merits by the High Court, no second/successive anticipatory bail petition(s) shall be entertained by a Sessions Court.”

7. Adverting to the merits of the instant case, it is pertinent to note herein that this Court finds no change in circumstances which would justify taking a different view from the one already taken on 21.04.2026 by a Coordinate Bench of this Court. In the present case, during the course of investigation, it has come on record that the driver of the vehicle involved in the accident is identified as Amritpal Singh. The petitioner is the registered owner of the said vehicle and also the father of the alleged driver. Furthermore, the vehicle recovered, during investigation, was found carrying two different registration numbers which cannot be completely brushed aside at the stage of consideration of plea for grant of anticipatory bail. Though mere ownership of a vehicle does not, by itself, establish criminal liability for an accident committed by another person but the allegations added during the course of investigation are not confined merely to an accident. The prosecution has alleged circumstances relating to the identity of the vehicle and the use of two different registration numbers. The role, knowledge and involvement of each accused in relation to those circumstances, are matters which are required to be investigated. The reliance placed by learned counsel on the fact that the vehicle has already been released on *supurdari/supardari* is also not sufficient to entitle the petitioner to anticipatory bail. The Court has to examine the nature of the allegations, the material collected during investigation, the role attributed to

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the accused and the necessity of custodial interrogation. The Court also cannot lose sight of the fact that the allegations arise out of an accident in which two persons, namely Mani and her daughter — Marjeena, have lost their lives. Most importantly, the petitioner has not been able to point out any material development after dismissal of his earlier anticipatory bail petition on 21.04.2026 which could persuade this Court to take a different view. A successive petition for anticipatory bail cannot be entertained merely by reiterating the same grounds. The petitioner has also not approached the Court with the required candor. The suppression of the earlier dismissal becomes particularly material when there is otherwise no change in circumstances warranting reconsideration. In the considered opinion of this Court, the present petition is liable to be dismissed both on account of the absence of any substantial change in circumstances after the earlier plea having been dismissed as withdrawn and on account of the previous petition not being clearly disclosed much less a copy of order having been appended with the petition in hand.

8. There is another aspect *nay* vital aspect of the matter which deserves to be addressed by this Court.

As per the note put up by the Registry along with the petition in hand, the petitioner had already approached this Court for the same relief arising out of the same FIR and the said petition stands dismissed as withdrawn on 21.04.2026 by the Coordinate Bench of this Court. In the present petition, the petitioner has not clearly disclosed this material fact and/ or produced a copy of the order passed in the earlier petition & there is neither any reference to the earlier petition in the body of the petition nor



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disclosure of its dismissal which could justify the filing of the instant petition. So much so, the petition in hand has been described as first petition in the head-note of the petition *whereas* it is, in fact, the second plea.

Pertinently, the integrity of the adjudicatory process rests upon the foundational requirement of utmost good faith. This assumes even greater significance where a litigant approaches the Court for grant of a discretionary relief such as grant of an anticipatory bail. A petitioner, acting through legal assistance, is burdened with an affirmative duty to disclose all material facts, in a petition for bail, which constitutes a declaration regarding prior bail applications and specific findings recorded therein. This obligation is not merely a procedural formality but a substantive prerequisite, as the adjudication of successive bail plea(s) necessitates evaluation of '*change in circumstance(s)*' since the last dismissal. The significance of disclosing trajectory of prior bail applications can be gauged from the fact that the Hon'ble Supreme Court has time and again mandated for disclosure of such an essential piece of information in bail applications. A profitable reference in this regard can be made to dicta passed by the Hon'ble Supreme Court in **Kusha Duruka Vs. State of Odisha, 2024(4) SCC 432**, relevant whereof reads thus:

"20. In our opinion, to avoid any confusion in future it would be appropriate to mandatorily mention in the application(s) filed for grant of bail:
(1) *Details and copies of order(s) passed in the earlier bail application(s) filed by the petitioner which have been already decided.*

(2) *Details of any bail application(s) filed by the petitioner, which is pending either in any court, below the court in question or the higher court, and if none is pending, a clear statement to that effect has to be made. This court has already directed vide order passed in Pradhani Jani's case (supra) that all bail applications filed by the different accused in the same FIR should be listed before the same Judge except in cases where the Judge has superannuated or has been transferred or otherwise incapacitated to hear the matter. The system needs to be followed meticulously to avoid any discrepancies in the orders. In case it is mentioned on the top of the bail application or any other place which is clearly visible, that the application for bail is either first, second or third and so on, so that it is convenient for the court to appreciate the arguments in that light.*



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If this fact is mentioned in the order, it will enable the next higher court to appreciate the arguments in that light.

(3) *The registry of the court should also annex a report generated from the system about decided or pending bail application(s) in the crime case in question. The same system needs to be followed even in the case of private complaints as all cases filed in the trial courts are assigned specific numbers (CNR No.), even if no FIR number is there.*

(4) *It should be the duty of the Investigating Officer/any officer assisting the State Counsel in court to apprise him of the order(s), if any, passed by the court with reference to different bail applications or other proceedings in the same crime case. And the counsel appearing for the parties have to conduct themselves truly like officers of the Court.”*

Furthermore, in a case titled as ***Zeba Khan Vs. State of Uttar***

Pradesh and Others, the Hon’ble Supreme Court observed as under:

“42. *It has been consistently emphasised by this Court that an accused or applicant seeking bail is under a solemn obligation to make a fair, complete and candid disclosure of all material facts having a direct bearing on the exercise of judicial discretion. Any suppression, concealment or selective disclosure of such material facts amounts to an abuse of the process of law and strikes at the very root of the administration of criminal justice.*

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47. *As repeatedly observed by this Court, bail applications are examined at multiple stages - from the trial Court to the High Court and ultimately this Court - where courts are often constrained to take a prima facie view on incomplete or selectively presented records. Non-disclosure of material aspects such as criminal antecedents, prior bail rejections, duration of custody, compliance with constitutional and statutory safeguards, and the progress of trial may result in the unwarranted grant of bail, or conversely, the prolonged incarceration of accused persons despite substantial custody having already been undergone.*

48. *Thus, this Court is of the view that every petitioner or applicant seeking bail, at any stage of proceedings, is under an obligation to disclose all material particulars, including criminal antecedents and the existence of any coercive processes such as issuance of non-bailable warrants, declaration as a proclaimed offender, or similar proceedings, duly supported by an affidavit, so as to promote uniformity, transparency and integrity in bail adjudication.”*

In an era where judicial transparency is bolstered by digital infrastructure, the failure to disclose such material fact is increasingly inexcusable. When the information regarding history of a case and other petition(s) arising out of the same FIR, is readily available via the High Court’s website/public domain, a plea of ignorance by counsel filing the petition borders on dereliction of requisite professionalism. The Hon’ble Supreme Court, while raising concern regarding non-disclosure of material



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facts, in **Saumya Chaurasia Vs. Directorate of Enforcement, 2024 AIR Supreme Court 387**, relevant whereof reads as under:

“14. It cannot be gainsaid that every party approaching the court seeking justice is expected to make full and correct disclosure of material facts and that every advocate being an officer of the court, though appearing for a particular party, is expected to assist the court fairly in carrying out its function to administer the justice. It hardly needs to be emphasized that a very high standard of professionalism and legal acumen is expected from the advocates particularly designated Senior advocates appearing in the highest court of the country so that their professionalism may be followed and emulated by the advocates practicing in the High Courts and the District Courts. Though it is true that the advocates would settle the pleadings and argue in the courts on instructions given by their clients, however their duty to diligently verify the facts from the record of the case, using their legal acumen for which they are engaged, cannot be obliterated.”

8.2. The imperative for utmost candor and transparency scales to its highest zenith when a litigant invokes the extraordinary jurisdiction of the court for grant of anticipatory bail under Section 482 BNSS/438 Cr.P.C. Unlike an incarcerated bail applicant (seeking regular bail); whose liberty is already severely compromised and whose access to legal consultation, document compilation etc. might occasionally be fraught with the disorienting realities of confinement; an untethered bail applicant (seeking anticipatory bail) enjoys unfettered freedom, ample time, and unhindered proximity to legal counsel to meticulously construct, verify, and swear upon an affidavit the exact trajectory of his legal pursuits. In the realm of anticipatory bail, where the judicial hand is extended preemptively to shield an individual from the iron grip of arrest, the rule of *"approaching the court with clean hands"* is not a mere technicality but a mandatory condition precedent. An individual seeking an equitable relief, while concealing such pertinent aspect, clandestinely mocks the process of court. *Ergo*, the omission exposed is to be considered a deliberate, unpardonable subversion of the rule of law. It is necessary to detest such vexatious and virulent

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attempt(s) by unscrupulous elements, aimed at misusing the process of law and Courts. The sanctity of the judicial process will be seriously eroded if such attempt(s) is not responded with necessary firmness. A litigant who misuses the process of law or take liberties with the truth should be left in no doubt about the consequences to follow. Others should be discouraged not to venture along the same path in the hope or on a misplaced expectation of judicial leniency or indulgence. Exemplary costs, in such a situation are inevitable and necessary, so as to ensure that in litigation, as in the law which is rather practiced in our Country, there is no premium on the truth. Such misleading plea(s) which are deficient in any reasonability, have to be construed as trifling with the Courts and the process of justice.

11. In view of the prevenient ratiocination, it is ordained thus:

(i) The petition in hand is devoid of merits and is hereby dismissed with costs of ₹25,000/-, which shall be deposited by the petitioner with Chief Judicial Magistrate (CJM), Faridkot, within four weeks from today. In case such costs are deposited; CJM, Faridkot shall have the same remitted to Punjab State Legal Services Authority, Mohali. In case, the said costs are not deposited by the petitioner as directed for; the CJM, Faridkot is directed to intimate the Deputy Commissioner, Faridkot who shall have such costs recovered from the petitioner as arrears of land revenue and upon realization thereof, the Deputy Commissioner, Faridkot shall have the same submitted to CJM, Faridkot, for further remittance thereof to Punjab State Legal Services Authority, Mohali. A compliance report be sent by CJM, Faridkot as also Deputy Commissioner, Faridkot, to this Court accordingly.

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- (ii) Registry is directed to transmit a copy of this judgment to CJM, Faridkot as also Deputy Commissioner, Faridkot for requisite compliance.
- (iii) Any observations made and/or submissions noted hereinabove shall not have any effect on merits of the case and the investigating agency as also the trial Court shall proceed further, in accordance with law, without being influenced with this order.
- (iv) Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 24, 2026
Ajay/mahavir

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