

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23423-2020
Date of Decision: 25.08.2020

Kulwinder Singh @ Kaka

... Petitioner

v/s

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. R.K.Arya, Advocate, for the petitioner.

Mr. H.S.Multani, AAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No.002 dated 02.01.2019, under Sections 452, 436, 427 IPC registered at Police Station Civil Line, Batala, District Batala.

Briefly, the FIR was registered on the basis of the statement of Rajinder Singh on the allegations that during the intervening night of 24/25 December, 2018 some person had set his Safari car bearing Registration No. PB-06E-0221 on fire. In the supplementary statement, after verifying from the CCTV recording, petitioner was nominated as an accused.

It has been stated by learned counsel for the petitioner that the arrest of the petitioner was effected on 27.7.2020 and he has been falsely implicated on account of party faction. Furthermore, the petitioner was not named in the FIR.

On the contrary, learned State counsel on instructions from ASI Inderjit Singh, has not disputed the factual aspect of the matter and has stated that the investigation is still underway.

In the case in hand, the petitioner was arrested on 27.7.2020, his custodial interrogation is over, he has been remanded to the judicial custody and even occurrence took place in December, 2018. In such circumstances, further detention of the petitioner may not be justified as genuineness of the allegations will be looked into during the course of trial.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

25.08.2020

Janki

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