

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

CRM-M-11293-2023

Decided on:-26.04.2023

Birguneet Singh

....Petitioner..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. G.S. Madaan, Advocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

Mr. Umesh Aggarwal, Advocate,
for the complainant.

HARKESH MANUJA J. (Oral)

Learned counsel for the petitioner files fresh power of attorney on behalf of the petitioner with no objection from the previous counsel.

2. By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail pending trial in case FIR No.306 dated 21.11.2022, under Sections 457, 427 and 436 IPC, registered at Police Station Cantonment, District Police Commissionerate, Amritsar.

3. As per the allegations levelled in the FIR, the petitioner set on fire the office of complainant, thereby causing huge loss to him.

4. Learned counsel for the petitioner submits that petitioner is a young boy of 22 years of age, who is in custody for the last 4 months and 27 days and the investigation in the present case already stands concluded with the filing of challan on 14.02.2023 and the trial is likely to take some time.

He further submits that in order to show his *bonafide*, petitioner is ready to deposit a sum of Rs.8 lakhs with the trial court, subject to final outcome thereof. Learned counsel on instructions from *Taya (uncle)* of the petitioner, namely, Harinder Singh, who is present in Court submits that petitioner shall have no objection, if, the amount so deposited is released in favour of the complainant, in case, the petitioner is held guilty.

5. On the other hand, learned State counsel assisted by Mr. Umesh Aggarwal, Advocate representing the complainant submit that the petitioner has caused huge financial loss to the complainant, besides, putting many lives to danger by setting the office of the complainant on fire, which is situated in a thickly populated area.

6. I have heard learned counsel for the parties and gone through the paper-book. I find substance in submissions made on behalf of the petitioner.

7. Considering the fact that the investigation in the present case already stands concluded with the filing of challan and the petitioner has already suffered incarceration for a period of 4 months and 27 days, besides, he being a young boy of 22 years with no past criminal antecedents, I do not find any reason to extend his incarceration, any further.

8. As offered by the petitioner, he shall deposit a sum of Rs.5 lakhs within a period of 15 days from today with the remaining Rs.3 lakhs to be deposited before the trial court within 06 weeks thereafter. On depositing of a sum of Rs.5 lakhs, the trial court shall release the petitioner on bail, subject to his furnishing bail bonds and surety bonds to its satisfaction.

9. The amount so deposited by the petitioner with the trial court

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shall be converted into an FDR with some nationalized bank with the highest rate of interest and the same shall be released subject to outcome of the trial.

26.04.2023
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(HARKESH MANUJA)
JUDGE

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