

**CRM-M-63679 of 2024 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****231****CRM-M-63679 of 2024 (O&M)****DATE OF DECISION :- 21.05.2025****Vinod Khosla****...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL****Present:-** Dr. Anmol Rattan Sidhu, Senior Advocate
with Mr. Mohit Giri, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 BNSS in case FIR No. 48/2024 under Sections 409, 435 of the IPC along with Section 13(1) A r/w Section 13 (2) PC Act as amended by the PC (Amendment) Act and Section 4 of Prevention of Damage to Public Property Act registered at Police Station Vigilance Bureau Range, Amritsar

2. Learned Senior counsel for the petitioner submits that the alleged fire incident wherein the godown of which the petitioner was incharge wherein the godown containing the jute bales was gutted in a fire took place in 2016, however, the FIR in question came to be registered after almost 08 years of the alleged occurrence. Learned Senior counsel has argued that on the face of it, it is clear case of false implication of the petitioner as it cannot be digested that had the petitioner indeed been

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involved in the occurrence in question, the complainant would have chosen to sit quiet for as long as 08 years. It has been further submitted that the petitioner has now been in custody since 25.10.2024; challan qua him already stands presented, hence his further incarceration in the present case would serve no useful purpose more so with the entire case against the petitioner is based on documentary evidence which is already part of the challan.

3. Per contra, learned State counsel, while opposing the prayer and submissions made by the counsel opposite has not disputed the custody period of the petitioner nor has it been disputed that the investigation qua the petitioner is complete and challan stands presented against him. Learned State counsel on further instructions from ASI Bhupinder Singh,, it has not been disputed that the entire case against the petitioner hinges on documentary evidence. However, learned State counsel while drawing the attention of this Court to the affidavit of Jogeshwar Singh Goraya, P.P.S., Deputy Superintendent of Police, Vigilance Bureau, Unit, Gurdaspur has submitted that the petitioner was serving as Inspector of PUNGRAIN and he was one of the prime suspects who put the warehouse on fire where the jute bales were stored leading to huge losses to the department.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 25.10.2024 in the FIR in question which pertains to an occurrence which took place on 13.09.2016. The case of the prosecution against the petitioner is based mostly on documentary evidence which is already part of the challan.



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Since as many as 33 prosecution witnesses have been cited who are yet to be examined, this Court deems it fit to extend the concession of bail to the petitioner as no further incarceration of the petitioner is required.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

8. All pending applications (if any) shall also stand disposed of.

(MANJARI NEHRU KAUL)
JUDGE

21.05.2025
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No