

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

CRM-M-21523-2018

Date of decision: December 03, 2018

Lakhwinder Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sunny Dhull, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

Mr. Vishal Sharma, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J.(ORAL)

The petitioner has preferred the instant petition under Section 438 of Code of Criminal Procedure, for grant of anticipatory bail in case FIR No.76 dated 05.04.2018, registered under Sections 323, 324, 325, 326, 341, 506 and 34 of the Indian Penal Code at Police Station Cheeka, District Kaithal.

Heard.

It has been submitted that the injury attributed to the petitioner is simple and not on the vital organ of the victim. Weapon of offence has already been recovered from him.

Petitioner is directed to join investigation on 10.12.2018.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 18.05.2018 is made absolute, subject to the following terms:-

- (i) that the petitioner shall make themselves available for interrogation by the police as and when required;

- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

However, keeping in view the facts and circumstances of the case, this court deems it appropriate that interim compensation must be awarded to the victim.

In view of the above, this court assessed the interim compensation to the tune of Rs.20,000/- to be paid by the petitioner. The compensation amount shall be paid either through cash or bank draft in the name of the victim and that shall be tendered before the learned Magistrate within ten days. This amount shall be without prejudice to the rights of the parties and shall be subject to the outcome of the trial. Learned Magistrate shall disburse this amount to the victim on his submitting surety bond of the equal amount to the effect that in the event of any court directs him to return this amount, he shall return and on his failure to do so, the surety shall be liable.

(RAJ SHEKHAR ATTRI)
JUDGE

December 03, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No