

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

I.

CRM-M-31346-2018 (O&M)
Date of decision: 14.11.2018

Sammo and another

..Petitioner(s)

VERSUS

State of Haryana and another

...Respondents

II.

CRM-M-33316-2018 (O&M)

Izazudin and others

..Petitioner(s)

VERSUS

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vipul Joshi, Advocate, for
Mr. P.S.Ahluwalia, Advocate,
for the petitioners.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition along with connection petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.250 dated 3.7.2018 registered for the offences punishable under Sections 323, 325, 452, 506 and 34 of Indian Penal Code, at Police Station Pataudi, District Gurugram.

Heard.

It is a case of street quarrel on trivial issue over a fight of children of the two families. Both the parties have received injuries.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 26.7.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioners 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 ₹ 25,000/- to be paid jointly by all the petitioners in both the cases. The compensation amount shall be paid either through cash or bank draft in the name of the Zahid son of Yamin Kureshi 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-Zahid 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.

November 14, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No