

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

CRM-M-32187-2018

Date of decision: December 20, 2018

Balkaur Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.S. Salar, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Jasvir Singh Dhaliwal, 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.0270 dated 15.10.2017, registered under Sections 324, 323/34 of the Indian Penal Code, 1860 (for short 'IPC') and subsequently added Section 326 IPC at Police Station Raman, District Bathinda.

Heard.

Keeping in view the injuries suffered by the victim, this court is of the view that an interim compensation be awarded to her.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 28.11.2018 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.1,00,000/- to be paid by the petitioner. The compensation amount shall be paid through bank draft in the name of the victim and that shall be tendered before the learned Magistrate on or before 03.01.2019. 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 her submitting surety bond of the equal amount to the effect that in the event any court directs him to return this amount, she shall return and on his failure to do so, the surety shall be liable.

(RAJ SHEKHAR ATTRI)
JUDGE

December 20, 2018

m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No