

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

CRM-M-37273-2018 (O&M)

Date of decision: 27.9.2018

Deepak

...Petitioner(s)

VERSUS

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Arvind Bansal, Advocate.
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.162 dated 12.4.2018 registered for the offences punishable under Sections 379-B, 427, 458, 34 of Indian Penal Code (for short, "IPC") (later on Sections 379-B, 34 IPC & Section 25 Arms Act deleted and Sections 395, 397 325 IPC added) at Police Station Civil Lines, Kaithal, District Kaithal.

Heard.

Learned counsel for petitioner submits that the petitioner is ready to pay some amount as interim compensation to the victim on account of economic loss, pain and suffering.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. 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/-. 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 at the time of submitting bail bonds. 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 of the equal amount that in the event of the Court directs to return this amount, he shall return and on his failure to do so, the surety shall be liable.

On payment of the aforesaid amount of Rs.20,000/- in the mode and manner stated above, petitioner-Deepak son of Shri Ved Pal be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his

presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

September 27, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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