

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

CRM-M-38324-2018 (O&M)
Date of decision: 27.11.2018

Suman Devi ..Petitioner(s)

VERSUS

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amit Singla, Advocate,
for the petitioner.

Mr. R.K.Makkad, DAG, Haryana.

Mr. Sanjay Jain, Advocate,
for the complainant.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.164 dated 9.7.2018 registered for the offences punishable under Sections 379, 427, 120-B of Indian Penal Code, at Police Station Ambala Sadar, District Ambala.

Heard.

It is the case of the prosecution that the complainant is having agricultural land in village Sheikh Majra cultivated by him. The petitioner wants to grab the said land. The complainant installed CCTV cameras in order to record the illegal activities. In the intervening night of 8/9.7.218, the petitioner had stolen the CCTV cameras, fuse of tubewell and also broke

the jumper.

Learned State counsel states that the petitioner has joined the investigation.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 4.9.2018 is made absolute till the presentation of challan, 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 her so as to dissuade her 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 complainant.

In view of the above, this Court assessed the interim compensation to the tune of ₹ 25,000/- to be paid to the complainant. The compensation amount shall be paid either through cash or bank draft in the name of the complainant 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 complainant 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 27, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No