

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

CRM-M-38671-2018 (O&M)
Date of decision: 14.5.2019

Harjinder Singh

..Petitioner(s)

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Umesh Aggarwal, Advocate, for
Mr. Ashish Aggarwal, Advocate,
for the petitioner.
Mr. V.G. Jauhar, Sr. DAG, Punjab
Mr. Veneet Sharma, 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.22 dated 25.2.2018 registered for the offences punishable under Sections 452, 354, 323, 341, 427, 506, 148, 149 of Indian Penal Code, at Police Station Sultanwind, District Amritsar.

Heard.

The allegations levelled against the petitioner and his associates are that they entered the house of the complainant and caused damage to the property. They also caused simple hurt to the complainant.

Learned State counsel on instructions from HC Major Singh states that the petitioner has joined the investigation and nothing is to be recovered from him.

Without expressing any opinion on the merits of the case, this

petition is allowed and the order dated 6.9.2018 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 ₹ 30,000/- 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. Learned Magistrate shall call the complainant and disburse the aforesaid amount to the complainant. This amount shall be without prejudice to the rights of the parties and shall be subject to the outcome of the trial.

May 14, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No