

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

CRM-M-22749-2019 (O&M)

Date of decision: 22.5.2019

Amit Kumar

...Petitioner(s)

VERSUS

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amit Kumar Walia, Advocate.
for the petitioner.
Mr. Manoj Kumar Sangwan, 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. 223 dated 13.12.2018 registered for the offences punishable under Sections 376, 511, 323 of Indian Penal Code (for short, "IPC") at Police Station DLF Phase III, Gurugram, District Gurugram.

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. 25,000/-. 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 payment of the aforesaid amount of Rs.25,000/- in the mode and manner stated above, petitioner Amit Kumar son of Mahesh Sharma 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 22, 2019
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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