

(2017) 05 RAJ CK 0020
In the Rajasthan High Court
Case No : 600 of 2017

Mahendra Singh S/o Shri Akhe Singh Ji	APPELLANT
Vs	
State of Rajasthan	RESPONDENT

Date of Decision : 04-05-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 34](#), [Section 323](#), [Section 325](#), [Section 341](#) - Acts done by several persons in furtherance of common intention - Punishme

Citation : (2017) 05 RAJ CK 0020

Hon'ble Judges : Sandeep Mehta

Bench : SINGLE BENCH

Advocate : Sudhir Saruparia, Pankaj Awasthi

Final Decision : Allowed

Judgement

1. Heard learned counsel for the appellants and learned Public Prosecutor. Perused the order under challenge.
2. This appeal has been preferred on behalf of the appellants under Section 14A(2) of the SC/ST (Prevention of Atrocities) Act being aggrieved of the order dated 25.4.2017 passed by learned Special Judge, SC/ST (Prevention of Atrocity) Cases, Sirohi in Cr. Case No.164/2017 rejecting the bail application preferred on behalf of the appellants who are in custody in connection with FIR No.98/2016, Police Station Mandar, for the offences under Sections 341, 323 and 325 / 34 IPC and Section 3(1)(R)(S), 3(2) (Va) of SC/ST (Prevention of Atrocities) Act.

3. Learned counsel for the appellants submits that without prejudice to their defences, the appellants by way of humanitarian approach, are ready to offer compensation to the tune of Rs.20,000/- to the injured Ranchhod for the pain and suffering caused by the injuries caused to him. He thus urges that the appellants deserve to be enlarged on bail.

4. Learned Public Prosecutor opposes the submissions advanced by the appellants' counsel and urges that if at all this Court is inclined to enlarge the appellants' bail, the amount of compensation being offered may be enhanced.

5. Having regard to the entirety of facts and circumstances as available on record and considering the fact that the appellants are ready to offer compensation to the tune of Rs.20,000/- in all to the injured Ranchhod, the prayer for bail made on their behalf deserves to be accepted.

6. Consequently, the appeal is allowed. The order dated 25.4.2017 is set aside. It is ordered that the accused-appellants (1) Mahendra Singh and (2) Bhagawat Singh arrested in connection with FIR No.98/2016, Police Station Mandar shall be released on bail during pendency of the trial; upon the appellants depositing a sum of Rs.20,000/- in all in the trial Court by way of a demand draft prepared in the name of injured Ranchhod and further provided each of them furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so. The demand draft upon being submitted shall be disbursed to the injured Ranchhod.

7. It is clarified that the offer of compensation made by the accused appellants shall not be treated to be prejudicial to their

defences at the trial.