

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. M.P. No.1076 of 2020

Animesh Rajan	...	Petitioner
Versus		
1. The State of Jharkhand		
2. Jyoti	...	Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	:	Mr. Ashwini Sharan, Advocate
For the State	:	Mrs. Srabani Sanyal, A. P.P.
For the O.P. No.2	:	Mr. Rajeev R. Tiwary, Advocate

Order No.03 Dated- 26.06.2020

Heard the parties through video conferencing.

This criminal miscellaneous petition has been filed by the petitioner with a prayer for modification of the order dated 11.02.2020 passed in A.B.A. No.8836 of 2019.

It is submitted by the learned counsel for the petitioner that vide order dated 11.02.2020 passed in A.B.A. No.8836 of 2019, upon the petitioner showing his readiness and willingness to pay ad interim victim compensation of Rs.15,00,000/- to the opposite party No.2 without prejudice to his defence, he was given the privileges of anticipatory bail. It is next submitted that the petitioner is not capable of paying the said victim compensation amount of Rs.15,00,000/- to the opposite party No.2. Hence, it is submitted that the said amount of victim compensation be revised and the said order dated 11.02.2020 passed in A.B.A. No.8836 of 2019 be modified.

Learned counsel for the opposite party No.2 on the other hand opposed the prayer for reducing the amount of victim compensation and submitted that the on the undertaking of the petitioner to pay ad interim victim compensation of Rs.15,00,000/- to the opposite party No.2 without prejudice to his defence, he was given the privileges of anticipatory bail and in the light of the said order he availed the benefit of not being arrested for four months and now the petitioner wants to act smart and wants to go back from the undertaking given by him after availing the breather of four months and does not want pay the ad interim victim compensation of Rs.15,00,000/- to the opposite party No.2 as undertaken by him before this Court. It is then submitted that the petitioner is very much capable of paying the ad interim victim compensation of Rs.15,00,000/- to the opposite party No.2, and this clearly reveals the vicious conduct of the petitioner. Hence, it is submitted that the said order dated 11.02.2020 passed in A.B.A. No.8836 of 2019 ought not to be modified, as the

petitioner failed to honour his undertaking of paying the said victim compensation amount.

Considering the conduct of the petitioner of going back from his undertaking made before this Court to pay ad interim victim compensation of Rs.15,00,000/- to the opposite party No.2 but is not honoring his undertaking to pay the said victim compensation, this Court is of the considered view that there is no justifiable reason to modify the order dated 11.02.2020 passed in A.B.A. No.8836 of 2019.

Accordingly, this Cr.M.P. stands dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Animesh/