

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **Crl. M.C. No. 2090/2008 and Crl.M.A.No.7781/2008**
% **Date of decision : 22.07.2008**

Avinash @ Ishu Petitioner
Through: Mr. M.K. Vashisht with
Mr.Pourash Sudan, Advocates.

Versus

State & Another Respondents
Through : Mr.R.N. Vats, APP for the State.
ASI Charan Singh, PS Pandav
Nagar.

CORAM :-

* **HON'BLE MR. JUSTICE ANIL KUMAR**

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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The complainant Rahul Chaudhary and accused Avinash @ Ishu are present in court with their respective counsels. Learned counsel for the petitioner contends that the matter has been settled between the complainant and the petitioner.

Pursuant to the complaint by respondent No.2, FIR No.665/2007 under sections 323/341/34 IPC was registered with P.S.

Pandav Nagar and the case was tried by Juvenile Justice Board, Ferozeshah Kotla Ground, Delhi.

Pursuant to the compromise arrived at between the parties, an application was filed for compounding the offence, however the Juvenile Justice Board declined the application on the ground that the Juvenile/petitioner had already pleaded guilty.

The alleged offence under sections 323/341/34 IPC is compoundable. Learned counsel for the parties contend that no useful purpose shall be served in continuing the proceeding. It is also contended that considering the fact that the petitioner is juvenile, it shall be in the interest of justice if FIR No.665/2007 under sections 323/341/34 IPC P.S. Pandav Nagar is quashed.

The whole object of Juvenile Justice Legislations is to provide for the care, protection, treatment, development and rehabilitation of neglected delinquent juveniles. It is a beneficial legislation aimed at to make available the benefit of the Act to the neglected or delinquent juveniles. A Division Bench of this Court in Charanjeet Singh v. State of NCT of Delhi 114 (2004) DLT 206, had observed that the object of the Juvenile Justice Act of 2000 is the social reintegration and rehabilitation of the juveniles in conflict with law by adopting a child-friendly approach in the adjudication and disposition of matters involving them. In a recent judgment by two-Judge Bench of this Court decided on 25.09.2007 in CrI.A. No.169 & 235/2003 titled Ravinder

Kumar @ Ravi v. State and Amit Kumar v. State of NCT of Delhi, the
Court observed :-

“It cannot, in our view, be lost sight of that the objectives of the Juvenile Justice Act are curative rather than deterrent or retributive and the interest of the juvenile is paramount. The provisions of the Act carry a message to the justice delivery system that the protective umbrella of law shall be extended to one who is a juvenile and therefore not yet beyond redemption. If this message is kept in mind and the aim of juvenile justice is singularly focused on the correction and reformation of those who have yet not attained the age of corrigibility, the day is not far when the child may indeed prove to be the father of man.”

Consequently in the facts and circumstances no useful purpose shall be served in continuing with the proceedings and it will be in the interest of justice and in consonance with the object of the Juvenile Justice (Care and Protection of Children) Act, 2000 to quash the proceedings. Therefore the order dated 31st May, 2008 of the Juvenile Justice Board is set aside and the FIR No.665/2007 under sections 323/341/34 IPC P.S. Pandav Nagar and all the other proceedings pursuant to the said FIR are quashed. With these directions the petition is disposed of.

Dasti

July 22, 2008

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ANIL KUMAR, J.