



CRR-1545-2026

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

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FXXXX

....Petitioner

V/s

State of Haryana

....Respondent

Date of decision: 07.07.2026**Date of Uploading : 08.07.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Namit Khurana, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (Oral)

1. The petitioner, child-in-conflict-with-law (hereinafter referred to as 'CCL') has filed the present revision petition challenging the order dated 07.05.2026 passed by learned Principal Magistrate, Juvenile Justice Board, Yamuna Nagar at Jagadhri (hereinafter referred to as 'Juvenile Justice Board') and the order dated 25.05.2026 passed by learned Sessions Judge, Yamuna Nagar. By way of impugned orders the prayer made on behalf of the CCL for grant of bail has been dismissed.

2. As per the allegations, the FIR has been lodged by the complainant Mamta Kumari, who alleged that her step-son namely Yaman had gone to Hamida along with his friend Naitik on 28.11.2025. Subsequently, she had received information that Yaman had sustained injuries near Billa Juice Shop, Hamida. It has been further alleged that the present petitioner and co-accused Sameer, owing to previous enmity,

attacked Yaman and inflicted injuries upon him with an intention to kill



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him. On these set of allegations, the FIR in question came to be registered. The petitioner, being a juvenile, was apprehended and is in custody since 02.03.2026.

3. Learned counsel for the petitioner has iterated that the impugned orders passed by the Juvenile Justice Board as well as the appellate Court are contrary to the settled principles governing grant of bail to a child in conflict with law under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Learned counsel has further iterated that the petitioner has been falsely implicated and no recovery has been effected from him. According to learned counsel, the investigation already stands completed and, therefore, further detention is not required in the factual *milieu* of the case in hand. It has been further contended that the Social Investigation Report does not contain any adverse remark against the petitioner and reflects that he belongs to a family environment where parental supervision and support are available. It has been further contended that there is no material on record to indicate that the release of the petitioner would bring him into association with known criminals or expose him to any moral, physical or psychological danger. It has been further submitted that the petitioner is in custody since 02.03.2026 and the inquiry is likely to take considerable time. Furthermore, mere gravity of allegations cannot be a ground to deny bail to a juvenile in the absence of satisfaction regarding any of the exceptions contemplated under Section 12 of the Act. Learned counsel also contends that the courts below have declined the bail solely on the ground of gravity of the offence which is impermissible in law



below have not appreciated the Social Information Report (SIR) in the right perspective and passed the impugned orders in a hasty manner without considering the settled principles of law. Learned counsel, while relying upon the statutory provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, has argued that the petitioner ought to have been released on regular bail in the facts and circumstances of the case. On the strength of these submissions, a prayer has been made for setting aside the impugned orders and for granting bail to the petitioner–juvenile.

4. *Per contra*, learned State counsel has opposed the grant of instant petition by arguing that the allegations raised against the petitioner are serious in nature. Learned State counsel has iterated that the petitioner, along with his co-accused, allegedly inflicted cutter injuries on the neck and face of the victim. It has been further contended that the CCTV footage collected during the course of investigation supports the prosecution version and shows the participation of the petitioner in the occurrence. It has been further contended that the manner in which the offence was committed and the circumstances surrounding the incident show that the release of the petitioner may defeat the ends of justice. Learned State counsel has also relied upon the Social Investigation Report to submit that the petitioner was found to be in the company of delinquent peers. In light of the seriousness of the allegations and the *prima facie* evidence, the grant of bail at this stage would not be in the interest of justice. Accordingly, a prayer has been made for the dismissal of the instant petition.

5. I have heard counsel for the parties and have gone through the available records of the case.



6. It would be apposite to refer herein to a judgment of this Court passed in **CRR-2876-2023** titled as **Jatin vs. State of Haryana**, decided on 30.01.2024; relevant whereof reads as under:-

“10. As an epilogue to above discussion the principles of law that emerge are as follows:

(I) Ordinarily, a CCL will be entitled to bail under Section 12 of The Juvenile Justice (Care and Protection of Children) Act, 2015 except wherein:

- (i) There appears to be reasonable grounds that such release is likely to bring the CCL into association with any known criminal; or*
- (ii) There appears to be reasonable grounds that release of such CCL may expose him/her to moral/physical/psychological danger; or*
- (iii) Such release would defeat the ends of justice.*

For a Board to hold that a given case falls under above-said three exceptions, the Board is required to rely upon tangible material to so hold and mere apprehension would not suffice to decline bail.

(II) The gravity/seriousness of an offence shall by itself not be a reason for rejection of bail of a CCL unless it is shown that such release would defeat the “ends of justice.”

For instance; wherein a CCL is alleged to be involved in a gruesome murder or a barbaric sexual assault or serious terrorist/anti-national activity(s); the Board may be justified in declining such release since release would defeat the “ends of justice”. These situations are illustrative in nature as it neither desirable nor possible to exhaustively enumerate all such situations and each case is required to be considered by the Board in its own facts/circumstances.

(III) The Board while considering a plea for bail by CCL, shall obtain and look into the SIR (Social Investigation Report) obtained in terms of Section 8 of 2015 Act as also the attending circumstances of the case in hand such as status of the family members of the CCL, the atmosphere around the ordinary residence of the CCL, educational background of the CCL as also his family members etc. These factors are only illustrative in nature as it is neither possible nor desirable to exhaustively enumerate such like factors.

(IV) The Board, in case of rejection of bail of CCL on the basis of exceptions contained in proviso to Section 12(1) of the 2015 Act, is bound



to accord reasons and briefly give the circumstances that have led to such rejections.

(V) An earnest effort ought to be made by the Board in expeditious decision of a plea for bail made on behalf of CCL and there should not be an inordinate delay in obtaining the SIR etc. since the matter pertaining to a CCL deserves to be dealt with exercising sensitivity, care and caution.”

7. It is not in dispute that the petitioner is a child in conflict with law. As per the material placed on record, his date of birth is 20.12.2010 and the alleged occurrence took place on 28.11.2025. Thus, on the date of the incident, the petitioner was aged about 14 years, 11 months and 08 days, and was below 18 years of age. The petitioner is admittedly a juvenile and, therefore, his claim for bail is required to be examined in the light of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The provision creates a statutory presumption in favour of release of a child on bail notwithstanding the nature of the offence alleged against him. Bail can be denied only if there exist reasonable grounds for believing that release of the child is likely to bring him into association with any known criminal or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice. A perusal of the impugned orders reflects that the Courts below have been influenced by the seriousness of the allegations and the nature of injuries suffered by the victim. However, gravity of accusation by itself cannot constitute a valid ground for denying bail to a juvenile unless the case is shown to fall within one of the statutory exceptions contemplated under Section 12 of the Act. Furthermore, the Social Investigation Report placed on record does not disclose any adverse family background or circumstance which suggests that the petitioner, if



released, is likely to come into association with known criminals. Rather, the report shows that the petitioner has family support and parental supervision. There is nothing in the report suggesting that his release would expose him to moral, physical or psychological danger. The Social Investigation Report further reflects that the CCL was residing with his parents alongwith his siblings. The habit of CCL is playing indoor/outdoor games & is shown to harbour normal attitude towards his family members. As per the SIR, the reason for involvement of CCL in the alleged offence is peer group influence. The CCL has not been used by any gang or adult or group of adult or has been used for drug peddling; the CCL has not been subjected to any form of abuse; CCL is not a victim of any offence & that the CCL has never been involved in any kind of illegal activity. Moreover, the State has also not been able to point out any specific material demonstrating that release of the petitioner would defeat the ends of justice. The apprehensions expressed by the prosecution are general in nature and are not supported by any concrete material. It is also not disputed that the petitioner has remained in custody since 02.03.2026. Investigation stands completed and no further recovery is stated to be effected from him. Thus, the culmination of the trial/enquiry will take its own time. Furthermore, there is no tangible material available on record to indicate that there is likelihood of the CCL coming into association with any known criminal or him being exposed to any moral/physical/psychological danger. The learned JJB, Yamuna Nagar at Jagadhri as well as the Sessions Judge, Yamuna Nagar appear to have rejected the bail of the CCL in question on the ground that the allegations are serious in nature and if released on bail,



he may be exposed to moral, physical or psychological danger. However, these findings appear to have been recorded on mere apprehension and without any material/basis on record. On the contrary, a perusal of the Social Information Report reflects that it would be in the fitness of the things especially the overall interest of the CCL that he is released on bail. The mere nature of the offence alleged to have been committed by the CCL does not make it a case calling for rejection of the bail so as to preserve the ends of justice. Moreover, the CCL-petitioner is of tender age and being in custody for a prolonged period is detrimental to the mental and emotional well being of the petitioner. Moreover, the continued incarceration may affect his moral character; jeopardize his career prospects and he may also be rendered jobless forever. Furthermore, denying bail to the CCL-petitioner may lead to an unjust deprivation of the CCL-petitioner's liberty without final adjudication of guilt. This Court is accordingly of the considered opinion, that in the facts and circumstances of the case in hand, the petitioner-CCL deserves to be enlarged on bail.

8. Accordingly the present revision petition is allowed and impugned orders dated 07.05.2026 and 25.05.2026 are set-aside. Petitioner-CCL is ordered to be released on bail on his furnishing requisite bail/surety bonds etc. to the satisfaction of concerned CJM/Duty Magistrate.

It is further directed that such concerned CJM/Duty Magistrate shall be at liberty to impose such further condition(s) as deemed appropriate by him/her while releasing the petitioner-CCL on bail.

9. In case of breach of any of the aforesaid conditions and those

which may be imposed by concerned CJM/Duty Magistrate as directed



hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

July 07, 2026
Ajay

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