

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Revision No.4046 of 2014 (O&M)

Date of decision: 24th December, 2014

Sunil Singh alias Sunil Kumar alias Goru

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Raman Goklaney, Advocate, for the petitioner.

Mr. Varun Sharma, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner Sunil Singh alias Sunil Kumar alias Goru has preferred this revision petition against State of Punjab under Section 53 of the Juvenile Justice Act, 2000 (hereinreferred as 'the Act') against the order dated 16.10.2014, passed by the learned Additional Sessions Judge, Fazilka in the appeal which was dismissed and to set aside the order dated 11.09.2014, passed by the learned Principal Magistrate, Juvenile Justice Board, Fazilka.

Notice of motion was issued.

Learned State counsel appeared and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The learned Additional Sessions Judge dismissed the appeal mainly on the ground of gravity of offence. As per provisions of the Act, this is no ground to reject the bail application. The bail is to be granted to the juvenile conflict in law except on the grounds which are stated in the provisions under the Act. None of those grounds have been mentioned in the appeal. It is settled law that seriousness or gravity of offence is no ground to reject the petition.

Therefore, finding merit in the present petition, the same is allowed. The impugned order dated 16.10.2014, passed by the learned Appellate Court is set aside. Petitioner Sunil Singh alias Sunil Kumar alias Goru is ordered to be released on bail to the satisfaction of Juvenile Justice Board/Duty Magistrate, Fazilka.

24th December, 2014
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(INDERJIT SINGH)
JUDGE