

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 927 of 2015

- Manoj Kumar Alias Negi Kashyap Aged About 16 Years A Juveniles Through Its Guardian Gulali Kashyap S/o Late Sampat Kashyap Age 55, (Natural Grand Father) R/o Village Mohadih, Police Station & Tahsil Janjgir, District Janjgir- Champa Chhattisgarh (Earlier Represented By Father Shri Rajkumar @ Nanki Kashyap, Aged About 45 Years), Civil & Revenue District Janjgir - Champa Chhattisgarh

**---- Petitioner
(Appellant)
in jail**

Versus

- State Of Chhattisgarh Through The District Magistrate, District Janjgir - Champa Chhattisgarh

---- Respondent

For petitioner	: Shri Vivek Shrivastava, Advocate.
For Respondent/State	: Shri Ashish Surana, PL.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

11/12/2015

This revision is against the order dated 7.10.2015 passed by the Additional Sessions Judge (FTC), Jajgir-Champa in Criminal Appeal No. 176/2015 affirming the order dated 23.9.2015 passed by the Juvenile Justice Board, Janjgir in criminal case No. 16/2015 by which the application for release of the applicant was rejected.

2. According to the case of prosecution, on 17.12.2014 while the prosecutrix was going to school by bicycle, the applicant and other accused persons stopped her, gagged her mouth and after taking her to the agricultural field committed forcible sexual intercourse with her one after another. After investigation charge sheet was filed against the applicant under Section 376(2)(g) IPC and Section 6 of Protection of Children from Sexual Offences

Act before the Juvenile Justice Board, Janjgir.

3. As per the report submitted by the Probation Officer, the applicant is not within the control of his parents or other family members, he is not under discipline, his family atmosphere is tense, for his safety purpose he is required to be kept in juvenile home and that he and his family members need better counselling. Thus considering the report of the Probation Officer and the order impugned, this Court is of the opinion that release of the applicant at this stage may convert him into a hardened criminal by bringing himself into the association of known criminals and therefore, it would be in the interest of justice to keep him in proper surveillance so that the very object of section 12 of the Juvenile Justice (Care and Protection) Act is not defeated.

4. The revision is accordingly dismissed.

Sd/

(Pritinker Diwaker)

Judge