

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

CRM-M-18541-2015

Date of decision : 10.07.2015

Tezpal

..... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Kamaldip Singh Sidhu, Advocate for petitioner.

Mr. Gurveer Sidhu, AAG, Punjab.

Mr. Parvesh Sachdeva, Advocate for complainant.

DARSHAN SINGH, J. (Oral)

Reply by way of affidavit of Jasbir Singh, Deputy Superintendent of Police, Sub Division Balluana, Distt. Fazilka filed, which shows that the date of birth of the petitioner is 10.01.1997.

Now the accused has been produced before the Juvenile Justice Board, Fazilka and has been detained in Juvenile Protection House, Ludhiana, which shows that now the petitioner is being proceeded against as a juvenile in conflict with law. The earlier bail application of the petitioner has been disposed of by the regular court and the learned Additional Sessions Judge has categorically mentioned in the order that no application has been filed on behalf of the petitioner for proving that he was under 18 years of age on the date of commission of the offence. But now the prosecuting agency is itself treating the petitioner as a juvenile.

So, the petitioner has a remedy to seek the bail under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2000 from the Juvenile Justice Board.

Therefore, the present application is hereby disposed of with the aforesaid liberty to the petitioner. If the petitioner files any such bail application before the Juvenile Justice Board, the same shall be disposed of within seven days.

10.07.2015

sunil yadav

**(DARSHAN SINGH)
JUDGE**