

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Revision No.111 of 2015

.....

Date of decision:23.1.2015

Sachin alias Mogdiya

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. Deepak Grewal, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this criminal revision petition under Section 401 Cr.P.C. for setting aside the impugned order dated 27.11.2014 passed by Principal Magistrate, Juvenile Justice Board, Bhiwani, dismissing his bail application and the impugned order dated 16.12.2014 passed by learned Additional Sessions Judge, Bhiwani (Appellate Court), vide which the appeal filed against the above order has been dismissed.

Notice of motion has been issued in this case.

Mr. Deepak Grewal, learned Deputy Advocate General, Haryana has put in appearance and accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

[2]

learned Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record.

The FIR is only for the offence under Section 25 of the Arms Act. The petitioner is stated to be in custody since 1.11.2014. Mere pendency of two or three other cases is no ground to deny the bail to the juvenile. Rather, as per the Juvenile Justice (Care and Protection) Act (hereinafter referred to as 'the Act'), the bail is to be granted, but only two/three exceptions are given in the provisions of the Act.

Keeping in view the facts and circumstances of the present case, I find that nature and gravity of the offence committed by the juvenile in another cases is no ground to dismiss the bail application.

Therefore, finding merit in the present criminal revision petition, the same is allowed. The juvenile-petitioner is ordered to be released on bail subject to his furnishing personal bond and surety subject to the satisfaction of the Principal Magistrate, Juvenile Justice Board, Bhiwani/Duty Magistrate.

January 23, 2015.

(Inderjit Singh)
Judge

hsp