

IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CRR-2593-2015

Date of Decision: September 17, 2015

Ashish Chhikara

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Jagjeet Beniwal, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

NARESH KUMAR SANGHI, J. (Oral)

The present criminal revision petition has been filed, challenging the order dated 06.07.2015 passed by learned Sessions Judge, Rohtak, whereby the appeal filed under Section 52 of the Juvenile Justice (Care and Protection of Children) Act, 2000, challenging the order dated 08.06.2015 passed by learned

Principal Magistrate, Juvenile Justice Board, Rohtak, dismissing the prayer for grant of bail to the petitioner, was dismissed.

Learned counsel contends that as per the prosecution version, the petitioner was driving the car in which the remaining assailants had arrived at the spot; the petitioner had caused simple injury by means of a leather belt on the person of Sunil Singh (since deceased) and further a simple injury on the person of Parmod, injured. He further submits that the petitioner, who is a juvenile in conflict with law, is behind the bars from 07.03.2015; the petitioner is neither required nor involved in any other case; father of the petitioner is ready to undertake the responsibility of his son, the petitioner, that during the bail period, the petitioner would not involve himself in illegal activities and would try to improve his character and that the father would further abide by all the conditions to be imposed at the time of admitting the petitioner on bail.

Learned counsel for the State submitted that in the event of release of the petitioner on bail, the possibilities of his involvement in illegal activities cannot be ruled out; after investigation the charge-sheet (report under Section 173, Cr.P.C.) has been presented and as such, the inquiry before learned Principal Magistrate, Juvenile Justice Board would be completed expeditiously. He, however, fairly concedes that the injury alleged

to have been inflicted by the petitioner by means of the leather belt was not solely responsible for the death of Sunil (since deceased). He further admits that another injury caused by the petitioner on the person of Parmod was also simple in nature.

After hearing the rival contentions of learned counsel for the parties and going through the material available on record, the present petition is accepted. Petitioner Ashish Chhikara son of Inder Parkash Chhikara resident of House No.46, Type-A MDU Campus, Rohtak, district Rohtak, presently confined in Borstal Jail, Hisar is directed to be released on bail, subject to the furnishing of bail bonds by father of the petitioner with further undertaking that during the bail period, the petitioner shall be looked after properly and he would not be permitted to join the company of the vagabonds and the known criminals, to the satisfaction of learned Principal Magistrate, Juvenile Justice Board, Rohtak.

September 16, 2015
Rajneesh

(NARESH KUMAR SANGHI)
JUDGE