

CRM-M-16202-2016

Date of Decision : 24.05.2016

Parminder Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

Petitioner is alleged to have committed unnatural sexual act with the son of the complainant.

Learned counsel for the petitioner submits that on account of the complainant, being inimical to the petitioner, due to a dispute between father of the petitioner and the complainant, he has been falsely implicated. Perusal of the police file indicates that the victim has suffered some injuries.

Without entering into the merits of the case, it is sufficient to observe that since the petitioner claims himself to be a juvenile, in the capacity as a juvenile, the petitioner is entitled to the statutory benefits under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The petitioner has got a legal right being a juvenile to be released on bail, as and when he is apprehended or detained by the police or appears for brought before the Juvenile Justice Board.

In view of the above circumstances, this petition is not maintainable. This petition is disposed of without prejudice to the right of the petitioner to seek benefit of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

Petitioner is, however, granted three days' time to appear before the concerned police authorities or the Board authorities to avail the benefit under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The formal arrest of the petitioner will be kept in abeyance, during aforesaid three days.

(M.M.S. BEDI)
JUDGE

24.05.2016
Neha