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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4190 of 2015 (O/M)

Date of decision : 9.2.2016

Amit Kumar

..... Revisionist

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.P.S. Sidhu, Advocate, for the revisionist.

Mr. Navdeep Singh, Assistant A.G. Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Impugned in the present revision is the judgment dated 17.9.2015, passed by the learned Sessions Judge, Ferozepur, affirming the order dated 28.8.2015, passed by the learned Principal Magistrate, Juvenile Justice Board, Ferozepur, vide which the application of the present revisionist, who is juvenile in conflict with law, was dismissed.

The revisionist has been booked for commission of offence punishable under Sections 302 and 364 read with Section 34 IPC for allegedly committing the murder of Arvind Kumar alongwith two other co-accused.

I have heard the learned counsel for the parties and have

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also carefully gone through the file.

Admittedly, the revisionist is juvenile in conflict with law and under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2000, in the normal circumstances, the bail is to be granted. However, proviso to said section provides that the bail can be declined, if there appears reasonable ground for believing that his release would bring him in association with any known criminals or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice. The appellate Court has taken the view that the mode and manner, in which the offence is committed, is indicative of the fact that the release of the revisionist would defeat the ends of justice. The appellate Court has further taken the view that his release would bring him in association with the known criminals or expose him to moral, physical or psychological danger.

After going through the facts and circumstances, I am of the view that this Court at least agrees with the first ground for declining the bail to the revisionist that his release would defeat the ends of justice. Therefore, at this stage, there is no ground to grant the bail to the revisionist. Hence, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

9.2.2016
sjks