

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4223 of 2015

Date of decision: February 12, 2016

Prince @ Chintu

.... Petitioner..

Versus

State of Haryana

.... Respondents..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sharmila Sharma, Advocate,
for the petitioner.

Mr. Sharad Kumar Yadav, DAG, 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?

Jaspal Singh, J. (Oral)

The present criminal revision petition has been preferred by Prince @ Chintu aggrieved against the order dated September 10, 2015 passed by Principal Magistrate, Juvenile Justice Board, Karnal as well as order dated October 15, 2015 passed by Id. Additional Sessions Judge, Karnal, vide which, order dated September 10, 2015 has been upheld, whereby the petitioner, a juvenile in conflict with law has been declined bail, in case, FIR No. 57, dated 21.01.2014, under Sections 302, 449, 120-B/34 IPC and 25 of the Arms Act, Police Station Civil Lines Karnal.

2. Undisputably, the name of petitioner does not figure in the FIR. He was arraigned as an accused in this case on the basis of disclosure statement suffered by his co-accused namely Brij and

subsequent thereto he was arrested. The challan has already been presented against him, who is being tried by the Juvenile Justice Board.

3. Though, there are as many as 34 witnesses cited in the list by the prosecution but till date not even a single witness has been examined. The injuries, which proved fatal to deceased-Amit @ Kala, have been attributed to Neeraj Punia and Brij. He is suffering incarceration for about more than 1 year and 6 months. Disposal of challan would take sufficient long time.

4. In the light of what has been discussed above, present criminal revision petition is allowed whereby impugned order dated October 15, 2015 passed by Ld. Additional Sessions Judge, Karnal, dismissing the appeal as well as order dated September 10, 2015 passed by Id. Principal Magistrate, Juvenile Justice Board, Karnal are set aside by way of acceptance of instant criminal revision petition. Resultantly, petitioner is ordered to be released on bail to the satisfaction of Principal Magistrate, Juvenile Justice Board, Karnal/ Chief Judicial Magistrate on furnishing bail bonds, during the pendency of trial.

February 12, 2016
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(JASPAL SINGH)
JUDGE