

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Crl. Rev. No. 4485 of 2016

Date of Decision:15.12.2016

Anmol

...Petitioner

Vs.

State of Punjab

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rishu Mahajan, Advocate, for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Ritu Bahri, J. (Oral)

The petitioner has come up in the revision against the order dated 10.11.2016 passed by the Additional Session Judge/Executive Court, Amritsar, whereby the revision filed by the petitioner has been dismissed and the impugned order dated 02.08.2016, passed by the Principal Magistrate Juvenile Justice Board, Amritsar, whereby the application of the petitioner for bail has been dismissed.

The allegation against the present petitioner is that he had taken away the minor daughter of the complainant, who was 14 years of age to the house of his relatives and thereafter with the association of his parents has solemnized the marriage with her. In this back-ground the FIR was registered against him.

The petitioner is in custody since 17.06.2016 and his bail was declined on the ground that allegations against him are of serious nature and it has been wrongly observed that if the petitioner is released on bail, it is likely to bring him into the association of any known criminal or expose him to moral danger and that his release would defeat ends of justice.

The petitioner is about 17 years of age and his parents have been released on anticipatory bail, there is no specific reason if he is released on bail he will come into the association of any known criminal.

Reliance has been placed on *Bittu Vs. State of Haryana. 2015(2) R.C.R. (Crl.) 316*, whereby after considering the Section 12(1) of the Juvenile Justice (Care and Protection of Children) Act, 2000, it has been observed that the bail should be granted to the petitioner. Bail to juvenile in conflict with law could not be refused on ground of gravity of offence.

In view of the above, present revision is allowed. Order dated 10.11.2016 passed by the Session Judge, Amritsar and Order dated 02.08.2016 passed by Principal Magistrate Juvenile Justice Board, Amritsar are set aside and the petitioner is ordered to be released on bail to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar.

December 15, 2016
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(RITU BAHRI)
JUDGE