

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM NO. M-11071 OF 2017
DECIDED ON : 16.05.2017**

Rahul

...Petitioner

versus

The State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Jamshed Ahmed, Advocate,
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, filed under Section 439 Cr.P.C, the petitioner seeks the concession of 'regular bail'.

Learned counsel for the petitioner has not placed on record the complaint which was contended to have been made to the police, in respect of an occurrence which is stated to have occurred after the one in question in the FIR annexed as Annexure P-1 herewith, on the ground that a copy thereof was not retained by the petitioner/the person who actually filed it. He further points to the FIR itself, to show that the petitioner, who is shown to be 17 years old in the memo of parties, has not been named in the FIR, at any stage.

Learned counsel for the State, on instructions from ASI Sanjay Kumar, submits that in fact no such complaint was made, as is alleged on behalf of the petitioner.

Though it is difficult to believe that a complaint would be made without even a copy kept by the complainant, however, the fact that the petitioner is less than 18 years of age is not denied by learned State counsel, on instructions. Therefore, keeping in view the aforesaid fact and that he is not specifically named in the FIR, but without making any comment whatsoever, on the actual merits of the case for or against the petitioner, which would be gone into by the trial Court, I consider it appropriate to admit the petitioner to bail, upon his furnishing adequate bail and surety bonds to the satisfaction of that Court.

(AMOL RATTAN SINGH)
JUDGE

MAY 16, 2017
shalini/anjali

Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO