

CRM-M-32357-2017 (O&M)

Date of decision: 07.09.2017

Rohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWANPresent: Mr. Vishwajeet, Advocate
for the petitioner.

Mr. Naveen Kaushik, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.1141 dated 27.11.2016, under Sections 302/34 IPC and Section 307 IPC and Section 25, 54, 59 of Arms Act added later on, registered at Police Station Sadar Karnal, District Karnal.

It is submitted on behalf of the petitioner that the age of the petitioner is 16½ years at the time of registration of the FIR and he is a juvenile. It is further submitted that the petitioner is in judicial lock up since 22.12.2016 and as per the FIR, fatal injury is attributed to co-accused Dharambir. Counsel for the petitioner further submits that while rejecting the bail application, the Additional Sessions Judge has given only one reason that in case the petitioner is released on bail, he may be exposed in the village and the same will be harmful and dangerous to his life as the complainant side is full of anguish and there is no other family member to look after him. Counsel for the petitioner further submits that the maternal uncle of the petitioner is there to look and take care of the petitioner. Counsel for the petitioner further submits that as per Section 12 of the

Juvenile Justice Act, there is nothing to reveal that grant of bail to the petitioner would result into his association with known criminals or it would expose him to any moral, physical or psychological danger.

Without commenting on the merits of the case, the present petition is allowed. Petitioner be enlarged on regular bail subject to his furnishing bail / surety bond to the satisfaction of the Additional Sessions Judge-cum-Children Court, Karnal.

(ARVIND SINGH SANGWAN)
JUDGE

07.09.2017
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No