

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

**CRM-M-40828-2017
Date of decision: 06.11.2017**

Raj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Partap Singh, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure by petitioner Raj Kumar (minor) through his father Mishri Chand for grant of regular bail to the petitioner in case FIR No. 266 dated 24.03.2017, under Sections 363 and 366-A of the IPC at Police Station Sadar Karnal, District Karnal.

A bail application was preferred by petitioner Raj Kumar (minor) himself before the Additional Sessions Judge-cum-Children's Court, Karnal which came to be dismissed by an order dated 05.07.2017 primarily for the reasons that none of the family members of the juvenile had come forward before the Court to give any undertaking that due care and protection would be given to the juvenile in case he was released on bail.

Today, the father of the juvenile-petitioner is present in Court and learned counsel for the petitioner contends that father of the petitioner is a poor man who was away at Bihar at the time when the said bail

application had been filed and, therefore, he could not be present in Court.

I have heard learned counsel for the parties and in view of the fact that the father of the petitioner is now available, let a fresh bail application be moved by him for grant of regular bail to the petitioner before the Additional Sessions Judge, Karnal. In case, such application is moved, the same be decided expeditiously within a period of one week considering the fact that the petitioner, who is minor, has been in custody for a period of more than seven months. In case, the father of the petitioner is unable to engage a private counsel, let legal aid assistance be provided to him.

With the above observations, the petition stands disposed of. However, it is made clear that filing of the earlier bail application will not stand in the way of the filing of the second bail application.

06.11.2017

Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*