

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

**CRR No. 1272 of 2016**

**DATE OF DECISION :- September 04, 2017**

**Deepak**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE H.S. MADAN**

**Present:-** Mr. Karan Garg, Advocate for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

\*\*\*

Under challenge in the Revision Petition is the order dated 4.3.2016 passed by Additional Sessions Judge, Bathinda vide which application moved by petitioner Deepak for declaring him as juvenile and directing the prosecution to present a separate challan had been declined. A perusal of the order goes to show that the Additional Sessions Judge, Bathinda has not held the enquiry to determine the juvenility of the petitioner by properly affording the petitioner adequate opportunity to lead evidence in that regard and the order is shown to have passed in a hurried manner, therefore, the same cannot stand judicial scrutiny and is set aside.

The trial Court is directed to hold enquiry to determine the issue by giving the petitioner adequate opportunities to lead evidence in support of his contention and then allowing the prosecution to rebut the evidence. The entire exercise be completed within a period of one month

from the date of receipt of copy of this order in the trial Court.

The petition is allowed accordingly. A copy of this order be sent to the trial Court for necessary compliance.

**(H.S. MADAAN)**  
**JUDGE**

**September 04, 2017**  
*p.singh*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |