

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

CRR-2010-2017

Decided on: 09.08.2017

Sahil

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. R.N. Lohan, Advocate,
for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

A.B. CHAUDHARI, J (ORAL)

Learned State counsel filed the custody certificate of the petitioner, which is taken on record.

Heard Learned counsel for the rival parties.

Learned counsel for the petitioner submits that the petitioner was a child on the date of commission of offence. The learned trial Court has rejected the petition for grant of regular bail on the ground that release of child in conflict with law on bail would expose him to moral, physical and physiological danger and would defeat the end of justice.

There is no finding on merits, that apart the petitioner was arrested on 26.11.2016 and has in jail since then. He is stated to be 11 years only on the date of offence.

I find that the crime committed by the petitioner is obviously heinous.

But his case is being tried by the Juvenile Court and as the deposition of the victim has not been recorded, there is every likelihood to tamper the prosecution evidence by all types of acrobatics.

I, therefore, think that in order to achieve the object, the petitioner should not be allowed to enter the district Kaithal except Juvenile Court at Kaithal.

In the last, I make the following order:-

ORDER

- (i) Bail is allowed to the satisfaction of the trial Court concerned.
- (ii) Petitioner shall inform the police station at which he will attend twice a week to decide the trial. The said concerned police station shall keep surveillance on the petitioner.
- (iii) The State will be at liberty to apply for cancellation of bail in case the petitioner enters to district Kaithal including village Nauch.
- (iv) The juvenile court shall expedite the trial and examine the victim first, in any case within a period of 3 months from today and shall not defer the examination.

(A.B. CHAUDHARI)
JUDGE

09.08.2017
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No