

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

**CRR No.202 of 2017 (O&M)
Date of Decision: August 21, 2017**

Chander Shekhar @ Shekhar

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sunil Saharan, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

The present revision has been filed by the petitioner Chander Shekhar @ Shekhar against respondent State of Punjab, challenging the impugned order dated 02.11.2016 passed by learned Principal Magistrate, Juvenile Justice Board, Sirsa vide which the bail application filed by the petitioner was dismissed and also challenging judgment dated 05.12.2016 passed by learned Addl. Sessions Judge, Sirsa, vide which the appeal filed by the petitioner was dismissed.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The brief facts of the case as noted down in the judgment passed by learned Addl. Sessions Judge, Sirsa, are as under:-

“2. Briefly put the facts of the case of the prosecution are that the present case was registered on the statement of complainant Vinod Kumar son of Hanuman who alleged that his son Kabir aged about 6/7 years was missing from 31.01.2016. They kept on searching him but could not find him. That on 01.02.2016 he along with his brother Shankar Lal, was searching his son in the vacant plots situated in Khajakhera-Salarpur Road and found that 2-3 stray dogs were biting something and they found that it was a skeleton of child which was in burnt condition and also found one chappal burn clothes and thus, they identified that skeleton as of his son Kabir @ Talli. On this statement, the present FIR was registered. Investigation was set into motion. During investigation, accused Chander Shekhar was arrested who suffered his disclosure statement while involving himself in the commission of offence.”

Learned Principal Magistrate, Juvenile Justice Board, Sirsa, vide impugned order dated 02.11.2016, dismissed the bail application by stating that release of juvenile Chander Shekhar would expose him to moral, physical or psychological danger and that his release would defeat the ends of justice and he may come into association with persons of criminal nature which would be against the interest of juvenile himself. An appeal was filed by the petitioner before Court of Session and learned Addl. Sessions Judge, Sirsa, vide impugned judgment dated 05.12.2016, dismissed the appeal.

Aggrieved from the above-said order and judgment, present revision has been filed by the petitioner.

The perusal of the record shows that allegation against the present petitioner is that he along with co-accused committed murder of Kabir, minor child aged about 6 years and burnt his body, which shows that present petitioner, if released on bail, may mix with the criminals or anti-

social elements. Grant of bail to the present petitioner would also defeat the ends of justice.

In view of the above discussion, I find that the impugned order and judgment passed by the Courts below rejecting the bail, are correct, as per law and evidence and do not require any interference from this Court.

Therefore, finding no merit in the present revision petition, the same is dismissed.

August 21, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No