

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

CRR No.2650 of 2017 (O&M)

Date of decision: September 4, 2017

Sahil Rana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Satbir Rathore, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Sahil Rana, has filed this revision petition against order dated 20.04.2017, passed by Principal Magistrate, Juvenile Justice Board, Ambala, whereby the bail application filed on behalf of the petitioner has been dismissed as well as challenging the order dated 17.05.2017, passed by Addl. Sessions Judge, Ambala, whereby the appeal filed by the petitioner has been dismissed.

Notice of motion was issued in this case. Learned State counsel appeared and contested the instant petition.

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

From the record, I find that main injury under Section 307 of the Indian Penal Code has been attributed to the present petitioner/juvenile.

The present petitioner, who is juvenile, is in custody since 28.02.2017.

Though it is stated by the Courts below that present petitioner is a gangster

and he caused the injury with sword, however, as per Section 12 of the Juvenile Justice (Care and Protection of Children) Act, bail is to be granted to the juvenile. Furthermore, the nature and gravity of the offence is not to be seen in the case of juvenile.

The present petitioner/juvenile is in custody since 28.02.2017 and the inquiry of the case will take sufficient time to conclude. Therefore, no useful purpose will be served by keeping the petitioner/juvenile in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner/juvenile is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹ 40,000/- with one surety in the like amount to the satisfaction of learned Principal Magistrate, Juvenile Justice Board/Duty Magistrate.

September 4, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No