

CRR-3593-2017 (O & M)

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

CRR-3593-2017 (O & M)
Date of Decision: 28.11.2017

Inderjeet @ Sahu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Inderjit Sharma, Advocate,
for the petitioner.

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

INDERJIT SINGH, J.

Petitioner-Inderjeet @ Sahu has filed this revision petition against State of Haryana under Section 401 Cr.P.C. challenging the order dated 16.08.2017 passed by learned Principal Magistrate, Juvenile Justice Board, Gurugram, vide which bail application of the petitioner has been dismissed and the judgment dated 18.09.2017 passed by learned Additional Sessions Judge, Gurugram, vide which appeal filed by the petitioner against the order dated 16.08.2017, has been dismissed.

Notice of motion was issued in this case.

Mr. B.S.Virk, DAG, Haryana put in appearance on behalf of the respondent-State and contested this petition.

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

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In the present case, the petitioner is stated to have been juvenile and as per the allegations, Sujeet, Inderjeet(present), Kale, rohit @ Sadhu, Sohita, Sachin alongwith three/four persons were quarreling with someone at Raj Nagar and some people gathered there. Thereafter, they fled away from the spot.

As per the allegations in the FIR, the present petitioner was armed with pistol and he fired from the pistol which hit on the abdomen of the complainant etc. However, keeping in view the fact that the petitioner is a juvenile and has been in custody since 23.06.2017 and in view of Section 12 of the Juvenile Justice (Care & Protection of Children) Act, 2000, I find that the juvenile-petitioner is entitled to the benefit of bail.

Therefore, finding merit in the present revision petition, the same is allowed. The impugned judgment and order passed by learned Additional Sessions Judge and Principal Magistrate, Juvenile Justice Board, Gurugram are not as per law and the same are set aside. The juvenile-petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the Principal Magistrate, Juvenile Justice Board/Duty Magistrate, Gurugram.

28.11.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No