

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

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**CRR No.3774 of 2018.
Date of Decision: 26.11.2018.**

Dinesh

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Jitender Dhanda, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present revision petition is for setting aside order, dated 13.10.2018 passed by learned Principal Magistrate, Juvenile Justice Board, Hisar and the judgment dated 30.10.2018 passed by learned Additional Sessions Judge, Hisar, whereby bail application of the revisionist, a juvenile in conflict with law, was dismissed in case bearing FIR No.533 dated 28.09.2018 registered under Sections 147, 148, 323, 341, 379-B, 427 and 506 of the Indian Penal Code and Section 25/54/59 of the Arms Act, registered at Police Station City Hansi, District Hisar.

Petitioner-Dinesh, who is of the age of 17 years, had applied for release on bail on the ground that he has been falsely implicated in this case and he is not involved in any other case. There is no recovery of any fire arm from him as there was no allegation in the F.I.R. against him.

Learned State counsel, while opposing the prayer for bail to the petitioner, contended that the Courts below have rightly declined the bail application of the petitioner as he is involved in heinous crime of snatching of motorcycle and there are no ground for his release on bail or of setting aside the order passed by learned Principal Magistrate, Juvenile Justice Board, Hisar and the judgment dated 30.10.2018 passed in appeal having been filed before Additional Sessions Judge, Hisar. So the present petitioner is not entitled to bail and the revision petition be dismissed.

Having considered the fact the petitioner, who is a juvenile and below the age of 18 years, was not named in the initial version and he is in custody since 08.10.2018, no useful purpose would be served by detaining the petitioner behind the bar any more, the petitioner is entitled to be released on bail.

Resultantly, the present revision petition is allowed and the order dated 13.10.2018 passed by learned Principal Magistrate, Juvenile Justice Board, Hisar and the judgment dated 30.10.2018 passed by learned Additional Sessions Judge, Hisar are set-aside. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate/Principal Magistrate, Juvenile Justice Board, Hisar.

(SHEKHER DHAWAN)
JUDGE

26.11.2018
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No