

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

CRR-3575 of 2018(O&M)
Date of Decision: 18.01.2019

Nitin

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Alok Mittal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present revision petition has been filed by the petitioner against the order dated 26.09.2018 passed by the learned Additional Sessions Judge, Yamunanagar at Jagadhri vide which his appeal against the order dated 11.09.2018 passed by Juvenile Justice Board Yamunanagar thereby rejecting his bail in FIR No.139 dated 26.03.2018 under Section 148, 149, 323, 324, 452, 302, 506 of the Indian Penal Code registered at Police Station Farkpur, District Yamuna Nagar has been dismissed.

Undisputedly, the petitioner is not named in the FIR, rather his name is surfaced during the investigation in the disclosure statement of co-accused-Rohit. Admittedly, the petitioner is a juvenile and the bail has been rejected primarily on the ground that he is likely to come into association with known criminals and would expose him to moral, physical and psychological danger on his release and that

would defeat the ends of justice, but there is no material available on record to substantiate the same.

Even during the course of hearing before this Court also, on instructions from SI Satish Kumar, learned State counsel is not in a position to demonstrate that release of the petitioner would be detrimental to his interest being a Juvenile in conflict of law.

Thus, the conclusion drawn by Juvenile Justice Board as well as learned Additional Sessions Judge is without any basis and the same deserves to be set aside.

As a result, this Court is convinced that petitioner is entitled to be released on bail in this case forthwith subject to the satisfaction of Principal of Juvenile Justice Board concerned on his furnishing bail/surety bonds.

Ordered accordingly.

[MAHABIR SINGH SINDHU]
JUDGE

January 18, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no