

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1364 of 2019

- Shubham @ Aashish Verma S/o Sahorik Verma Aged About 16 Years (Minor), Through Guardian / Father - Sahorik Verma S/o Paras Verma, Aged About 45 Years, R/o Nayapara Sirgitti, Police Station Sirgitti, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through Police Station Sirgitti, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Rohitashva Singh, Advocate.

For State/Non-applicant – Shri Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2020

1. Heard.
2. This revision petition has been brought against the order dated 26-09-2019 passed in Criminal Appeal No.206/2019 by the Additional Sessions Judge (F.T.C.), Bilaspur, Chhattisgarh dismissing the appeal filed by the applicant and upholding the order of bail rejection passed by the Juvenile Justice Board.
3. It is submitted by learned counsel for the applicant that the applicant who is juvenile in conflict with law has been falsely implicated in this case. It had been a quarrel of about 7 to 8 persons with the deceased which has resulted in his death, therefore, the applicant is not the main person here. The social status report also has favoured the applicant. The applicant is in jail since about 2 years and 3 months and the inquiry against him is not making any progress. Therefore, under these circumstances learned Juvenile Justice Board as well as learned appellate Court both should have exercised the jurisdiction in favour of the applicant and in refusing to do so they have committed error. Therefore, it is prayed that this revision petition be allowed.
4. Learned counsel for the State/non-applicant opposes the submission and submits that the applicant is the main offender as he was the person who

was armed with a knife and has stabbed the deceased with the same causing him fatal injury, rest of the co-accused persons have participated in that commission of offence. The offence committed is of heinous nature as it has resulted in death of the deceased. Therefore, the Board as well as the appellate Court have not committed any error. Hence, the criminal revision may be dismissed.

5. Heard learned counsel for the parties and perused the documents.

6. Considered the submissions and the facts of the case. After considering the social status report, I am of this view that in such a case where it is alleged that the applicant is the main accused who has caused death of the deceased may create unrest in society in case he is released on bail. Therefore, any such relief in his favour would go to show that it would defeat the ends of justice. Therefore, I do not feel inclined to allow the revision petition. Accordingly, this criminal revision is dismissed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge