

CRR No. 865 of 2020

DECIDED ON: JUNE 29, 2020

AAMIR THROUGH HIS FATHER SAHUN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The present petition is filed by juvenile in conflict with law through his father being aggrieved of the order dated 18.02.2020 passed by Additional Sessions Judge, Panipat rejecting the grant of bail in FIR No. 662, dated 07.10.2019, registered at Police Station Samalkha, Panipat, under Section 15 of NDPS Act, 1985 .

The allegations in the FIR are that on 07.10.2019 police received a secret information that one Canter bearing registration No. MH-4GR-4124 is being used for transporting *Chura post/Doda*. The vehicle was checked, it was loaded with oil cartons but 322 Kgs of *Chura post* was recovered. The truck was being driven by Tarif and the petitioner was sitting besides him. The petitioner was 15 years and 5 months at the time of incident.

Learned counsel for the petitioner contends that challan has been presented and investigation is completed. He relies upon the Juvenile Justice (Care and Protection of Children) Act, 2000 to argue that the object behind the Act is meant to bring juveniles into the main stream of society by reforming them.

Learned State counsel opposes the bail on the ground that quantity recovered is commercial. He further submits that petitioner is a resident of Rajasthan and his release on bail may affect the trial.

Learned counsel for the petitioner states that, to meet the apprehension raised by learned State Counsel, petitioner is ready to furnish a surety bond of an amount of ₹5,00,000/- of local resident of Panipat.

Considering the rival submission especially the age of the petitioner, the present petition is allowed and petitioner is ordered to be released on bail subject to furnishing surety bond of ₹5,00,000/- of local resident of Panipat to the satisfaction of Principal Magistrate, Juvenile Justice Board, Panipat/Duty Magistrate.

JUNE 29, 2020
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>