

Criminal Revision No. 933 of 2020 (O&M)

Date of Decision: June 10, 2020

Gurwinder Singh @ Teetu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Sukhmeet Singh, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Lisa Gill, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of the pandemic, COVID-19.

The petitioner, who is a juvenile, seeks quashing of order dated 06.01.2020 passed by the Principal Magistrate, Juvenile Justice Board, Faridkot as well as order dated 29.02.2020 passed by the learned Additional Sessions Judge, Faridkot whereby his bail application has been dismissed. It is submitted that no overt act has been attributed to the petitioner, who was not even named in the FIR at an initial stage. It is further contended that a similarly situated co-accused Ranjodh Singh (also a juvenile) has been afforded the concession of bail by a co-ordinate Bench of this Court on 03.03.2020 (Annexure P2).

Notice of motion.

Ms. Bhavna Gupta, DAG, Punjab accepts notice on behalf of the State. Advance copy already stands supplied.

Learned counsel for the State is unable to deny that the present petitioner is identically placed as the co-accused Ranjodh Singh though it is

sought to be argued that sufficient material has come on the record during investigation. Final report under Section 173 Cr.P.C. has been filed and charges framed. Nothing has been brought to my notice that in case of release of the petitioner, he is likely to come in association with any known criminal etc. The petitioner is in custody since 01.09.2019 and is not informed to be involved in any other criminal matter.

Keeping in view the facts and circumstances as above, this petition is allowed. Order dated 06.01.2020 passed by the Principal Magistrate, Juvenile Justice Board, Faridkot as well as order dated 29.02.2020 passed by the learned Additional Sessions Judge, Faridkot are set aside. The petitioner be released on bail subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Chief Judicial Magistrate, Faridkot/Duty Magistrate.

June 10, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No