

CRM-M-14775 of 2020 (O&M)**Date of decision : 11.06.2020****Sharanjit Singh Alais Abi****... Petitioner****Versus****State of Punjab****...Respondent****CORAM:- HON'BLE MR. JUSTICE ARUN MONGA****Present:-** Mr.Umesh Aggarwal, Advocate
for the petitioner.

Mr.Luvinder Sofat, AAG, Punjab.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Notice of motion.

Mr. Luvinder Sofat, AAG Punjab, who has joined proceedings, on service of advance copy of petition, accepts notice on behalf of State of Punjab and opposes the maintainability of the present petition in view of Section 12 of Juvenile Justice (Care and Protection of Children) Act, 2015.

Learned counsel appearing for the petitioner, on the other hand, states that Section 12 is not a bar on the jurisdiction of this Court to invoke its jurisdiction under Section 438 of Cr.P.C. He further contends that as far as allegations in the FIR are concerned, there is nothing against the petitioner, who is merely a 14 years old young boy and was found to be standing next to the co-accused Shamsher Singh, who is allegedly the prime accused.

Also, learned counsel for the petitioner contends that as per his information, the Juvenile Board at Amritsar is not completely operational which necessitated invoking jurisdiction of this Court. The said submission is also opposed by the learned State counsel. He states that he took specific instructions qua the same and per his information, the Juvenile Board along with constituent members is fully operational at Amritsar.

Be that as it may, without expressing any opinion on the merits of the allegations contained in the FIR, given the tender age of the petitioner, he is granted concession of interim bail at this stage for a period of 30 days. In the event he is required to be arrested by the police officials he shall be released on interim bail on furnishing of bail bond by his guardian to the satisfaction of the arresting official. The petitioner shall surrender himself before the Juvenile Board under Section 12 of the Act, *ibid*, within a period of 30 days from today.

It is, however, made clear that the Juvenile Board shall proceed with the matter in accordance with law without being influenced by this order of granting interim bail to the petitioner.

Disposed of accordingly.

11.06.2020
vandana

(ARUN MONGA)
JUDGE

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| 1. | Whether speaking/ reasoned: | Yes/ No |
| 2. | Whether reportable: | Yes/ No |