

(Proceedings conducted through video conferencing)

CRR-963-2020 (O&M)

Date of Decision: 23.06.2020.

ADITYA @ TAITU

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Fateh Saini, Advocate,  
for the petitioner.

Mr. Deepak Sabharwal, AAG, Haryana.

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VIVEK PURI, J.(ORAL)

CRM-14102-2020

Allowed, as prayed for.

CRR-963-2020

1. The petitioner has challenged the order dated 28.12.2019 passed by the Court of learned Additional Session Judge, Ambala and order dated 09.04.2020 passed in second appeal by the Court of learned Special Judge, Ambala as well as order dated 16.12.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Ambala, vide which the application for bail filed on behalf of the petitioner has been dismissed.

2. The FIR bearing No.0349 dated 16.11.2019 has been registered at the instance of Monu alleging that on 16.11.2019 at about 05:30 A.M., he received a telephonic information that 07/08 boys had given beatings of Sonu and one of them was armed with knife. Sonu was taken to Civil Hospital, Ambala Cantt and after giving first aid, he was referred to Government Medical College Hospital Sector-32, Chandigarh, where he succumbed to the injuries.

3. It has been contended by learned counsel for the petitioner that petitioner has not been named in the FIR and has been nominated on the basis of disclosure statement suffered by co-accused, namely, Ashish. The arrest of the petitioner was effected as back as on 23.11.2019. Moreover, the second appeal which culminated in passing of the order dated 09.04.2020 was erroneously filed by the petitioner. Counsel for the petitioner further submits that petitioner is a juvenile and similarly placed juvenile, namely, Dippanshu @ Natti Gulli has been granted bail by a Coordinate Bench of this Court. The case of the petitioner is at par with Dippanshu @ Natti Gulli. He further states that the petitioner is not involved in any other criminal case.

4. Learned State counsel has not disputed the factual aspects of the matter.

5. Keeping in view that fact that the petitioner has been nominated on the basis of disclosure statement made by the co-accused and furthermore, similarly placed co-accused has been granted bail by a Coordinate Bench of this Court, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/ Chief Judicial Magistrate/Duty Magistrate concerned.

6. Further the parents of the petitioner shall ensure that the petitioner does not come in association with any known criminals and keeps away from such persons and does not indulge in any other offence.

7. Accordingly, the petition stands accepted.

**23.06.2020**  
smriti

**(VIVEK PURI)**  
**JUDGE**

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|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether Reportable        | : Yes/No |