

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.**

**104**

**CRM-18256 of 2020 in/and  
CRR No.1015 of 2020  
Date of Decision: 30.07.2020**

**Ladi (Juvenile)**

....Petitioner

Versus

**State of Haryana**

....Respondent

**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr. Vineet Chaudhary, Advocate  
for the applicant-petitioner.

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**Lalit Batra, J.(Oral)**

Case has been taken up for hearing through Video Conferencing.

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This application is for placing on record copy of order dated 27.04.2020 as Annexure P-2.

Application is allowed as prayed for.

Annexure P-2 is taken on record.

**CRR No.1015 of 2020**

Present revision petition has been filed by the petitioner impugning the legality of order dated 05.05.2020 rendered by learned Additional Sessions Judge, Kaithal, whereby the application for grant of regular bail moved by petitioner (juvenile) against

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order dated 22.04.2020 passed by Principal Magistrate Juvenile Justice Board, Kaithal, was dismissed.

Notice of motion.

Mr. Saurabh Mohunta, DAG, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to him.

Learned counsel for the petitioner at the very outset submits that though in terms of order dated 27.04.2020 (Annexure P-2), application of petitioner for grant of bail was dismissed as withdrawn, however, vide impugned order dated 05.05.2020, learned Additional Sessions Judge, Kaithal, considered the disposal of said application as dismissal one and, thus, on account of said aspect alone and observing that there was no change in scenario after dismissal of application, vide order dated 27.04.2020, dismissed the bail application of petitioner. He further urges that once no other aspect was considered by the learned Court while disposing of application for bail, matter requires hearing afresh by the said Court.

Learned State counsel is in complete agreement with the submissions made by learned counsel for the petitioner.

In view of above, once in terms of order dated 27.04.2020 (Annexure P-2), it is quite evident on the record that bail application of petitioner, which was moved on 24.04.2020, was simply dismissed as

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withdrawn, in this scenario it was incumbent upon the learned Court to deal with Bail Application No.161 of 2020 while taking into account all the *pros and cons* of the case and as such above said application was not required to be disposed of simply on the ground that previous application of petitioner was dismissed on 27.04.2020.

As a sequel to above, impugned order dated 05.05.2020 is set aside and instant revision petition is disposed of with the direction to learned Additional Sessions Judge, Kaithal, to hear the Bail Application No.161 of 2020 afresh and dispose it of in accordance with law within two weeks positively from the date of receipt of copy of this order.

**(LALIT BATRA)  
JUDGE**

**30.07.2020**

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