

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRR-1024-2020(O&M)
Date of Decision: 04.08.2020

Tarun

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sanjay Vashisth, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The instant revision petition is directed against the order dated 8.7.2020 passed by the learned Addl. Sessions Judge, Rohtak whereby the appeal filed by the petitioner against the order dated 2.5.2020 passed by the Principal Magistrate, Juvenile Justice Board, Rohtak declining the bail application of the petitioner, has been affirmed.

Undisputedly, FIR No.0096 dated 12.3.2020 under sections 365, 376-D, 506 I.P.C and section 25 of Arms Act was registered at Police Station, Meham, District Rohtak in which the present petitioner stands cited as accused.

Petitioner, admittedly, was a juvenile on the date of the alleged occurrence.

During the course of arguments, this Court finds that co-accused Sanjit, who was also juvenile, had approached this Court in terms

of filing CRR-962-2020 raising the same very prayer after his application for bail had been declined by the Principal Magistrate, Juvenile Justice Board, Rohtak and such order having been affirmed in appeal.

In the considered view of this Court the case of the present petitioner would be on the same pedestal as that of co-accused Sanjit, who has been granted benefit of bail vide order dated 2.7.2020 (Annexure P-5).

In view of the above, the instant petition is allowed in terms of the reasoning adopted by this Court in the order dated 2.7.2020 at Annexure P-5.

Accordingly, impugned orders of both the courts below are set aside.

Petitioner be released on bail subject to furnishing bail bonds to the satisfaction of CJM/Duty Magistrate, Rohtak.

It is, however, clarified that the observations made by this Court in the order dated 2.7.2020 and on the strength of which the instant revision petition has also been allowed would have no bearing on the merits of the trial.

Revision petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

04.08.2020

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No