

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

105

**CRR-1037 of 2020 (O&M)
Date of Decision: 30.07.2020**

Sagar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Lekh Raj Nandal, Advocate
for the petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-18246 of 2020

Application is allowed as prayed for.

CRR-1037 of 2020

This revision petition is against order dated 08.06.2020 passed by learned Additional Sessions Judge, Sonapat, whereby appeal filed by the petitioner (juvenile) has been dismissed and order dated 27.05.2020 passed by Magistrate, has been upheld.

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 while dealing bail appeal of juvenile, learned Court was

required to delve into the provisions of Section 12 of The Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as ('Act, 2015'), but a bare perusal of impugned order dated 08.06.2020 clearly reveals that implication of provisions of Section 12 of Act, 2015, was not looked into and as such 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 learned Court was dealing with bail appeal of juvenile, it was incumbent upon the Court to deal with said matter while taking into account all the *pros and cons* of the provisions of Section 12 of Act, 2015. Once no such course was adopted by the Court while dealing the bail appeal of juvenile, matter requires hearing afresh.

As a sequel to above, impugned order dated 08.06.2020 is set aside and instant revision petition is disposed of with the direction to learned Additional Sessions Judge, Sonapat, to hear the Bail Appeal No.CRA/98/2020 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

rimpal

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