

CRR-1557-2019

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

CRR-1557-2019

Date of Decision: 17.02.2020

Gurjit Singh @ Geetu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ankur Bansal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

The petitioner has filed the present revision petition for setting aside the order dated 30.04.2019 passed by the learned Additional Sessions Judge, Jalandhar, whereby appeal preferred by him challenging the order dated 28.03.2019 passed by the learned Principal Magistrate, Juvenile Justice Board, Jalandhar, rejecting his bail application in FIR No.145 dated 11.11.2018, under Sections 302, 323 and 34 IPC, registered at Police Station Mehatpur, Jalandhar, was dismissed.

Perusal of record shows that FIR No.145 dated 11.11.2018, under Sections 302, 323 and 34 IPC, was registered at Police Station Mehatpur, on the statement of complainant-Baljinder. As per the FIR, the petitioner alongwith co-accused gave pushes to Ashok Kumar, who fell on the road and ultimately died.

Learned counsel for the petitioner contends that the petitioner was a juvenile at the time of occurrence. No specific role has been

CRR-1557-2019

attributed to him in the FIR. The charges were framed on 09.11.2019 and till date, no witness has been examined.

Learned State counsel, on instructions from ASI Tirath Ram, opposes the prayer made in the present revision and submits that it was because of the act of the petitioner and co-accused, Ashok Kumar, brother of complainant had expired. However, the learned State counsel admits that the witnesses are yet to be examined.

I have heard the learned counsel for the parties and with their able assistance, gone through the record.

The petitioner was juvenile at the time of occurrence. No witness has been examined so far. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner in custody till the disposal of the case.

Considering overall facts and circumstances of the present case, but without expressing any opinion on the merits of the case, the present revision petition is allowed and the impugned orders dated 30.04.2019 passed by the learned Additional Sessions Judge, Jalandhar, and the order dated 28.03.2019 passed by the learned Principal Magistrate, Juvenile Justice Board, Jalandhar, are set aside. The petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the the learned Juvenile Justice Board/Duty Magistrate, Jalandhar.

17.02.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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