

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2175-2019
Decided on : 24.06.2020

Vikram @ Vicky

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Balraj Singh, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. AG, Haryana.

Manjari Nehru Kaul, J.

On account of outbreak of Covid-19 pandemic, the matter is taken up through video conferencing.

The present revision petition has been filed against the orders dated 25.07.2019 passed by Principal Magistrate, Juvenile Justice Board, Jind and 09.08.2019 passed by Addl. Sessions Judge, Jind vide which the bail application as well as appeal filed by the petitioner have been dismissed.

Learned counsel for the petitioner contends that the petitioner is in custody since 12.01.2019 on account of false implication in the case in hand. He further contends that the trial is unlikely to conclude in the near future, hence, the concession of bail be granted to the petitioner.

Learned State counsel, on the other hand, has vehemently opposed the prayer of the petitioner for grant of bail in the instant case. He

submits that no doubt the petitioner was a juvenile on the date of occurrence when recovery of 1kg 300 gm of smack was effected from him, however, he committed the crime in question while being on bail in another NDPS case, which had been registered against him two years prior to the instant FIR.

Heard.

In the facts and circumstances of the case, I do not deem it a fit to extend the concession of bail to the petitioner. No doubt, the petitioner was a juvenile on the date of alleged recovery of contraband from him, however, one cannot loose sight of the fact that he was just a few months short of 18 years when he was apprehended with the contraband in the instant FIR, which admittedly falls within the category of “commercial category”. He shall have to be tried as an adult as per his psychological evaluation. His criminal antecedents do not warrant acceptance of his prayer for the grant of the concession of bail.

Accordingly, the present revision petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

24.06.2020

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Whether speaking/reasoned:	Yes
Whether reportable :	No