

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CR.R. No. 645 of 2020

Juvenile Conflict With Law (A), S/o. S.R. Ekka, aged about-17 years, Juvenile Conflict With Law Represented Through His Natural Guardian Father S.R. Ekka, aged about - 45 years, Occupation - Agriculture, R/o - Village - Lau, P.S. and Tehsil - Rajpur, District- Balrampur- Ramanujganj (Chhattisgarh).

---- Applicant

Versus

State of Chhattisgarh Through- District Magistrate, District- Balrampur- Ramanujganj (Chhattisgarh).

-----Respondent

For Applicant : Mr. Pushkar Sinha, Advocate

For Respondent/State : Mr. Gurudev I. Sharan, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/03/2021

1. Challenge in this petition is to the order dated 28.08.2020, passed by learned Special Judge (POCSO/FTC), Ramanujganj, District – Balrampur – Ramanujganj (C.G.), in Criminal Appeal No.07/2020, whereby the appeal preferred by the applicant/juvenile against the order of Magistrate, Juvenile Justice Board, Balrampur, at Ramanujganj District – Balrampur-Ramanujganj dated 24.07.2020 in Crime No. 68 of 2020, has been dismissed, whereby the applicant has been denied bail.
2. It is submitted by the learned counsel appearing on behalf of the applicant that the applicant has been falsely implicated in this case.

The social status report had not been altogether against the applicant even then the learned Board and Appellate Court have not appreciated the same. Hence, the learned Board as well as the learned Appellate Court both have committed error in passing the impugned order. Interference is prayed for by this revision.

3. State counsel opposes the petition and grounds raised in this respect. It is submitted that the allegation against the applicant is regarding commission of very cruel and pervert act according to which, he demanded the victim for sexual favour and when she denied, the applicant inflicted head injuries to her and when she was either dead or unconscious, he committed the offence or rape with her twice and also concealed the evidence of crime and threw the dead body of the deceased in a well. The social status report is totally against this applicant, in which the Probation Officer has clearly opined, that there is possibility of his being associated with criminal elements in future, that he shall be exposed to moral, physical and psychological danger and also his release on bail would defeat the ends of justice. Therefore, no error has been committed by the Courts below. Hence, the revision petition be dismissed.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. Considered on the submissions made by both the parties and the facts of the case. Considering the same, this Court is of the view that the impugned order passed by the Appellate Court as well as by the Board do not suffer from any infirmity. Hence, this revision

petition is dismissed. However, the learned Board is directed to expedite the matter and conclude the proceeding as soon as possible within a outer limit of six months.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram