

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

**CRM-M No. 157 of 2021
Date of decision: 02.11.2021**

Lalit Singh Petitioner.

Versus

State of Haryana and another Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sahil Gupta, Advocate, for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana, for respondent No. 1.

Mr. J.P. Sharma, Advocate, for respondent No. 2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 0365 dated 06.10.2020, under Section 147, 149, 323, 379-B and 506 of the Indian Penal Code, 1860, registered at Police Station Kanina, District Mahendergarh.

A Coordinate Bench of this Court passed the following order on 07.01.2021:-

“The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.0365 dated 06.10.2020 registered under Sections 147, 323, 379-B and 506 read with Section 149 of the Indian Penal Code, 1860 (for short 'the IPC') in Police Station Kanina, District Mahendergarh.

Learned Counsel for the petitioner has submitted that the petitioner, who was born on 08.11.2003, was a juvenile at the

time of registration of the above-said FIR and has been falsely implicated in the case by levelling of false and baseless allegations by the complainant. The FIR is a counter-blast to Civil Suit filed by Rajpal Singh and Satyavir Singh against the complainant. Even as per the allegations made in the FIR the petitioner is alleged to have thrown the complainant on the ground. The provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 do not bar grant of anticipatory bail to a juvenile. The petitioner is ready to join the inquiry.

In proof of his age, the petitioner has referred to certificate issued by the Principal, Government Senior Secondary School, Kanina.

Notice of motion.

Pursuant to supply of advance copy, Mr. Ranvir Singh Arya, Addl. A.G., Haryana has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 05.03.2021.

In the meanwhile, in the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.”

Learned State counsel, upon instructions from SI Narender Singh, states that the petitioner has joined investigation.

Learned counsel for respondent No. 2 contends that in view of serious allegations against the petitioner, he is not entitled to the concession of anticipatory bail.

In view of the above and the petitioner having joined investigation, the order dated 07.01.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438 (2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

02.11.2021

Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No