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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

****

CRR-20-2021
Date of Decision: 18.01.2021

Kartik

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sachin Gupta (Ladwa), Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

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SUDIP AHLUWALIA, J. (ORAL)

Ld. Counsel for the petitioner has submitted that under Section 12(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (in short 'the Act'), a Juvenile/Child in Conflict with Law is entitled to be released on bail or placed under the supervision of a Probation Officer, except in a situation where there appears reasonable grounds for believing that the release is likely to bring him in association with any known criminal or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice.

2. Reliance of the petitioner is on various previous decisions of this Court namely **Ashish Masih @ Ashu Vs. State of Punjab, CRR No.992 of 2020 decided on 13.07.2020; Amritpal Singh @ Nikku Vs. State of Punjab, CRR No.1103 of 2020 decided on 07.10.2020; Harmandeep Singh Vs. State of Punjab, CRR No.883 of 2020 decided**

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on 02.06.2020; Amit Grover Vs. U.T. of Chandigarh, CRM-M No.14103 of 2020 decided on 19.06.2020; Kishan Kumar Vs. State of Haryana, CRR No.725 of 2019 decided on 08.01.2020 and **Ankit Vs. State of Haryana, CRR No.1324 of 2020 decided on 12.01.2021**.

3. The Social Investigation Report of the petitioner (Annexure P-2) mentions that the child-petitioner appears to be normal on all parameters, and that he has very few friends, although observations of the neighbours towards him are not favourable and that out of jealousy at the petitioner helping his mother by working after the demise of his father 13 years ago, he appears to be victimized.

4. On the last date of hearing (15.01.2021), this Court had asked the learned State counsel to verify whether any other accused person in the case have been identified or arrested.

5. The ld. State Counsel submits that three other accused persons have been identified out of which two are already arrested. None of the other culprits is a Juvenile.

6. In this view of the matter, this Court is of the opinion that following arrest of the other culprits allegedly involved in the occurrence, there is very little chance of the petitioner now coming into association with any criminal or being exposed to moral, physical or psychological danger.

7. The petitioner, who is a juvenile, has remained in custody for more than four months, since 07.09.2020.

8. Consequently, considering the long period of detention undergone by him as also the Social Investigation Report, at this stage, he is permitted to be released on bail to the satisfaction of the Juvenile Justice Board/Duty Magistrate.

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9. The petition is disposed off.

(SUDIP AHLUWALIA)
JUDGE

18.01.2021
d.gulati

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No

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