

CRR-59-2021

Date of Decision:22.04.2021

Raj Kumar

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

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

Mr.Neeraj Poswal, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

By this petition the petitioner, who is stated to be a juvenile as per the petition, seeks to be admitted to bail, with him challenging the orders of the learned Principal Magistrate, Juvenile Justice Board, Jagadhari, District Yamunanagar, as also the Additional Sessions Judge, Yamunanagar, both refusing to admit him to bail

On 05.03.2021, the following order had been passed by this court:-

“Case heard by video conference.

Since the petitioner has been refused bail on the ground that he belongs to the same mohalla as his other co-accused and he would be exposed to them if he is admitted to bail, learned State counsel would take instructions as to whether any of the co-accused of the petitioner have been admitted to bail or not, with him of course submitting that, as per his instructions, there is no other criminal case registered against the petitioner, who has been in custody for about 7 months, with him being a juvenile.

Adjourned to 15.03.2021”

Thereafter, learned State counsel having sought further time to seek instructions, the matter was eventually adjourned till today.

Today, learned State counsel, on instructions, that none of the co-accused of the petitioner has been released on bail and that there is no other

criminal case registered against him.

Learned counsel for the petitioner again points out that in fact the only attribution to the petitioner in the occurrence is an iron rod blow on the head of one Niranjana, which was a simple injury on account of which he was discharged from hospital on the very same day.

He submits that the knife blow on the person of one another injured, i.e. Krishan Dass, was attributed to Ranjit Singh.

Keeping in view the above facts and that the petitioner is a juvenile and presently at least he is unlikely to be remain in the company of his co-accused, none of whom are stated to have been released on bail as yet, and he also being a first time offender attributed a simple injury; and further, he also having remained in custody for about 8 ½ months, with only one witness having been examined-in-chief out of 19 prosecution witnesses, without making any comment on the actual merits of the case, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the Juvenile Justice Board, Yamunanagar/Jagadhri.

April 22, 2021
dharamvir/

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO