

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

(Sr. No. 204)

CRM-M No. 5311 of 2020

Date of decision : 23.03.2021

Madhur

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Anshumaan Dalal, Advocate for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. read with Section 12 of the Juvenile Justice Act, 2015 for the grant of anticipatory bail in FIR No. 524 dated 28.11.2019 under Sections 323, 324, 341, 506, 34 IPC (Section 307 IPC added later on) registered at Police Station Sampla, district Rohtak.

Initially the aforesaid FIR was registered under Sections 323, 324, 341, 506, 34 IPC and the petitioner-jvenile was granted regular bail by the Trial Court. Thereafter on addition of Section 307 IPC, the State filed an application before the Juvenile Justice Board, Rohtak (for short – the Board) seeking permission to arrest the petitioner, which was declined through order of the Board dated 07.01.2020. Said order passed by the Board was challenged by the State way of an appeal, which is still pending before the Additional Sessions Judge, Rohtak (for short – the Appellate Court).

A decision on the aforesaid appeal filed by the State, subject to any challenge of the same by the aggrieved party, would virtually decide as to whether, after the addition of Section 307 IPC, the petitioner-jvenile is to be arrested or not.

Thus, the present petition is premature and is therefore disposed of with a direction to the Appellate Court to finally adjudicate upon the appeal filed by the State against order of the Board dated 07.01.2020 expeditiously but not later than one week from the date of receipt of a copy of this order, in accordance with law.

23.03.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No