

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

115

CRR-796-2020.

Date of Decision: 23.04.2021.

Monu @ Bhupender

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Lokesh Sharma, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This Criminal Revision Petition has been moved by petitioner- **Monu @ Bhupender** impugning the legality of judgment dated 13.02.2020 passed by learned Additional Sessions Judge, Narnaul, in terms of which, the appeal preferred by the petitioner against the order dated 06.12.2019 rendered by learned Principal Magistrate, Juvenile Justice Board, Narnaul, dismissing the bail application of petitioner in case FIR No.616 dated 27.11.2019 under Section 436 IPC, registered at Police Station Mohindergarh, was dismissed.

Reply dated 24.11.2020 by way of affidavit of Kushal Singh, HPS, Deputy Superintendent of Police, Mohindergarh, District Mohindergarh, already filed on behalf of respondent-State, is taken on record.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further urges that petitioner is juvenile in-conflict with law. He further urges that petitioner was not named in the FIR. He further urges that allegedly the petitioner alongwith his accomplices set on fire the door of the house of complainant. He further urges that while granting bail to a juvenile, nature and seriousness of offence is not to be seen, whereas the Courts below have ignored the said fact. He further urges that petitioner is in protective custody since 03.12.2019 and after completion of investigation, final report has already been presented in the Juvenile Justice Board and since decision of the case would take sufficient time, no useful purpose would be served by keeping the petitioner in protective custody further and he may be released on bail and the petition be allowed.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have gone through the contents of petition, reply furnished at the instance of respondent-State as well as documents available on record.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the inquiry but taking into consideration the fact that petitioner is in protective custody since 03.12.2019; that final report has already been presented in the Juvenile Justice Board and since decision of the case would take sufficient time, no

useful purpose would be served by keeping the petitioner in protective custody further, thus, he deserves the concession of bail.

In view of above, instant petition is allowed and judgment dated 13.02.2020 passed by lower Appellate Court, Narnaul and order dated 06.12.2019 rendered by Principal Magistrate, Juvenile Justice Board, Narnaul, are set aside and petitioner-**Monu @ Bhupender** is ordered to be released on bail on furnishing requisite bail bonds to the satisfaction of Principal Magistrate, Juvenile Justice Board/ Chief Judicial Magistrate/ Duty Magistrate, Narnaul, as the case may be.

(LALIT BATRA)
JUDGE

23.04.2021
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No