

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRR No.1202 of 2020 (O&M)
Date of Decision.01.04.2021
Reserved on 23.03.2021.
(Heard through VC)

Vicky ...Petitioner
Vs

State of U.T., Chandigarh ...Respondent

2. **CRR No.1204 of 2020 (O&M)**

Nitesh ...Petitioner

Vs

State of U.T., Chandigarh ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Salil Dev Singh Bali, Advocate
for the petitioner(s).

Mr. A.M. Punchhi, PP, U.T, Chandigarh and
Mr. Anupam Bansal, Advocate
for U.T., Chandigarh.

:-

JAISHREE THAKUR J.

1. This order is being passed in continuation of a detailed order passed by this Court on 02.02.2021 whereby this Court had directed the J.J. Board to record reasons based on the material available before it as to how and in what manner the release of the CCL would bring them into association with any known criminal or will put them into physical, psychological or moral danger, uninfluenced with the gravity of the offence.

2. In compliance of the order dated 02.02.2021, a report dated 15.02.2021 had been received from the Principal Magistrate, Juvenile Justice Board, Chandigarh, a copy of which had also been supplied to the counsel appearing for the parties. A perusal of the said report reflects that according to Social Investigation Report pertaining to Juvenile X, his father had died and he was

living with his mother with whom he was in cordial relation. His mother being a widow, works at a tea stall and is necessarily out of the home the whole day and there is no strong male influence at home to guide the CCL. Earlier on he was working as a Helper in the Printing Press, Chandigarh and earned Rs.5000/- per month. The reason for committing alleged offence by Juvenile X as per Social Investigation Report is shown to be '*peer group influence*'. Similar is the reason mentioned in the case of Juvenile Y, who had cordial relation with his family members. Y was not going to school or otherwise employed. The father of Juvenile Y is working and remains out of the house for long hours, while his mother stays at home and therefore, there would be no effective check or control over who he would have come in contact with.

3. Keeping in view the social investigation reports of the aforesaid juveniles, this Court is of the opinion that if they are released on bail, there is likelihood of their going back into the same environment which in turn would put them back into contact with the same peer group that they were in association with, at the time of allegedly committing the offence. Thus, their release would in fact defeat the ends of justice, as they would be exposed to moral, physical or psychological danger.

4. On the asking of this Court about the status of the trial, learned counsel appearing for the respondent-U.T., Chandigarh submitted that out of total 18 witnesses cited, 4 have been examined. He further submitted that the complainant has been examined; however, he did not support the prosecution version whereas, the brother of the deceased is yet to be examined.

5. In view of the aforementioned facts and circumstances, I do not find any ground to interfere with the orders passed by the Courts below and

consequently, both the revision petitions stand dismissed. However, this Court deems it appropriate to direct the Children’s Court, Chandigarh to conclude the trial as expeditiously as possible and preferably within a period of four months.

(JAISHREE THAKUR)
JUDGE

April 01 , 2021
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No