

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-43056 of 2019
Date of Decision: 17.03.2021

Davinder Singh @ Goru @ Gaurav

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Lakhwinder Singh Mann, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., read with Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, upon FIR no.171, dated 13.10.2016, having been registered at Police Station Division 5, Police Commissionerate, Jalandhar, alleging therein the commission of offences punishable under Sections 302, 148 and 149 of the IPC.

On 15.03.2021, the following order had been passed by this court:-

“Learned State counsel having submitted that as per the reply received by him (still not on record), in fact only one prosecution witness remains to be examined, with him also having been examined partly, and with the next date of hearing being tomorrow.

It is to be noticed that the petitioner is under trial for the alleged commission of an offence punishable under Section 302 of the IPC

and he is being tried not by the Juvenile Justice Board but by a Childrens' Court; and therefore learned counsel for the petitioner, upon query, very fairly admits that as per the Juvenile Justice (Care and Protection of Children) Act, 2015, the bar of imprisonment beyond three years would not apply in the petitioners' case.

That being so, with the trial at its absolute fag end, I would see no reason to admit the petitioner to bail even for the purpose of his examinations as he could be taken for the examinations even in custody if necessary.

On the request of learned counsel for the petitioner, adjourned to 17.03.2021.”

Today learned State counsel having submitted that even the testimony of the last prosecution witness has been recorded, learned counsel for the petitioner seeks to withdraw this petition, with him further submitting that even the examination of the petitioner has been postponed.

Dismissed as withdrawn.

March 17, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No