

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

CRM-M- 6166-2023

Date of Decision: February 09, 2023

Sonu Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Jagjit Singh Gill, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

By way of this petition, prayer is made for grant of pre-arrest bail in case FIR No.0010, dated 10.01.2023, registered at Police Station Kalanwali, District Sirsa, under Section 15-A of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Allegations are that 4 Kgs of doda post i.e. of non-commercial category was recovered from co-accused Sukhwinder Singh @ Sahab Singh, who in his disclosure stated that contraband was supplied to him by the petitioner. Anticipatory bail applied by the petitioner before learned Additional Sessions Judge has been declined on the ground that source of contraband is to be revealed.

It is contended by learned counsel for the petitioner that petitioner is a juvenile aged 17 years only. He has placed on record the copy of the birth certificate issued by the Municipality, Kalanwali. It was issued on 10.02.2016 and it reveals the age of the petitioner to be 10.12.2005, thus *prima facie* showing the petitioner to be a juvenile. It is submitted that said certificate could not be produced at the time of consideration of the bail application by learned Addl. Sessions Judge.

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Having regard to the fact that *prima facie* the petitioner is a juvenile, he is directed to surrender before the Juvenile Justice Board, Sirsa within 7 days from the date of receipt of certified copy of this order. The Juvenile Justice Board shall serve a notice of the surrender to the Investigating Officer of the case and will decide the application moved by either of the party. Till the matter is decided by the Juvenile Justice Board, Sirsa, the petitioner shall not be arrested.

Disposed of accordingly.

February 09, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No