

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212

CRR-934-2022 (O&M)

Date of decision : 01.03.2023

Vikas

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: None for the petitioner.

Mr. Deepak Grewal, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner is a juvenile and is an accused in case FIR No.377 dated 24.07.2017, registered at Police Station Rai, under Section 302 IPC and Section 25 of the Arms Act, 1959. His application for grant of regular bail was rejected by the Juvenile Justice Board vide order dated 24.02.2022. Appeal against the said order has been dismissed vide order dated 04.04.2022 passed by the Additional Sessions Judge, Sonipat. Thus, the present revision petition has been filed.

Custody certificate dated 27.02.2023 signed by Sh. Sandeep Kumar, Superintendent, Place of Safety, Madhuban, Karnal, has been submitted in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 05 years, 06 months and 06 days and there is no other criminal case pending against him.

A perusal of Section 18 of the Juvenile Justice (Care & Protection of Children) Act, 2015 shows that a maximum sentence of 03 years can be imposed upon a child in conflict with law. As on date, the

petitioner has undergone actual custody in excess of maximum period of sentence imposable and thus, he deserves to be released on regular bail.

The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the Juvenile Justice Board/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

01.03.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No