

**207/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-24698-2023

Date of Decision: 20.09.2023

**SONU (MINOR) THROUGH HIS MOTHER ... PETITIONER
V/S
STATE OF HARYANA AND ANOTHER ... RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Hardeep Singh Dhillon, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

Mr. K.S.Dhanora, Advocate for respondent No.2.

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VIVEK PURI, J. (ORAL)

1. On 16.05.2023, following order was passed by the Co-ordinate

Bench:

“The petitioner Sonu who is a minor filed anticipatory bail in FIR No. 116 dated 22.05.2022 (Annexure P-1) under Section 346 of IPC (Section 328 and 376 of IPC added subsequently during investigation vide challan dated 01.09.2022), registered at Police Station Jhansa, District Kurukshetra, in which he has been summoned under Section 319 Cr.P.C. The summoning order dated 20.12.2022 is Annexure P-3. The copy of FIR is Annexure P-1. The aforesaid facts indicate that during investigation, he was found innocent and therefore, he was summoned on application under Section 319 Cr.P.C. The challan is already presented. He is ready to face the trial. Alongwith this bail application, he has also placed on record copy of his Aadhar Card, according to which his date of birth is 30.05.2008.

Notice of motion.

On the asking of this Court, Ms. Deepshikha Chauhan, Assistant A.G. Haryana accepts notice on behalf of the State.

Considering the aforesaid facts, the present petitioner - Sonu be not arrested. He is granted the relief of *ad interim* bail with the direction to surrender before the trial Court

within 10 days from today and he be released on *ad interim* bail to the satisfaction of trial Court, subject to the conditions enshrined under Section 438(2) Cr.P.C. The trial Court will also consider the age of the petitioner as to whether he is juvenile or an adult.

Adjourned to 02.08.2023.

Status report be filed by respondent - State by the adjourned date. ”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has surrendered before the learned trial Court and has been admitted on interim bail.

3. Learned State counsel, on instructions from ASI Rajesh, has submitted that the petitioner was found to be innocent during the course of investigation and his custodial interrogation is not required in the instant case as he has been summoned under Section 319 Cr.P.C.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 16.05.2023 is made absolute. However, the petitioner shall furnish fresh bail bonds to the satisfaction of the learned trial Court within a period of one month.

20.09.2023

Janki

(VIVEK PURI)
JUDGE

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