

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR 1610/2023

Date of decision: 21.07.2023.

Rajbir Singh

.....Petitioner

Vs.

State of Haryana

.....Respondents

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Parminder Walia, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG Haryana

Nidhi Gupta, J.CRM 28962/2023

Since there is delay of 9 days in filing the present revision,
aforesaid application has been filed seeking condonation of delay.

For the reasons stated in the application, the same is allowed
and delay in filing the revision petition is condoned.

CRR 1610/2023

This revision petition is directed against the impugned order dated 6.4.2023 passed by Principal Magistrate, Juvenile Justice Board, Panchkula, and order dated 25.4.2023 passed by Special Judge/ Addl. Sessions Judge, Panchkula, whereby the bail application of the petitioner-juvenile stands dismissed in case FIR No.24 dated 10.3.2023 under Section 323 IPC and Section 6 of POCSO Act, registered at PS MDC, Panchkula, Haryana.

As per allegations in the FIR which was registered on the basis of complaint of father of the prosecutrix, petitioner allured the prosecutrix on the pretext of giving toffee and took her to second floor, tied

her eyes with his baniyan and after opening his pant put his penis into her mouth. On hearing this, the complainant met Taya of petitioner and made a complaint upon which his Taya started quarrelling with the petitioner.

It is inter alia submitted by Id. Counsel for the petitioner that the petitioner is a juvenile aged 15 years. It is submitted that petitioner is neighbor of the complainant and he has been accused in the present case due to fights that have occurred between father of the petitioner and complainant-father of the victim. It is submitted that no such act has been done by the petitioner and a totally false FIR has been registered against him, and that the petitioner is innocent boy studying in 10th Standard and has a bright future ahead of him and his whole career has been ruined due to his false implication.

Custody certificate dated 20.7.2023 produced by the Id. State counsel is taken on record, as per which petitioner has been in custody for 4 months,10 days.

Ld. State counsel opposes the prayer made in the revision petition and submits that victim was a five-year-old child. Ld. State counsel further submits that challan has been presented in the present case, however, charges are yet to be framed.

After hearing Id. counsel for the parties and keeping in view the totality of facts and circumstances, no case for interference is made out. Revision petition stands **dismissed**. However, nothing stated above shall be taken as an expression of opinion on the merits of the case.

21.07.2023.
Joshi

(Nidhi Gupta)
Judge

Whether speaking/reasoned	Yes
Whether reportable	Yes/No