

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2278-2022
Decided on : 23.01.2023

ANMOLPREET SINGH (MINOR THROUGH NATURAL GUARDIAN
MOTHER SUKHPAL KAUR)

...Petitioner

VERSUS

STATE OF PUNJAB

..Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present Mr. PKS Phoolka, Advocate
for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

The petitioner, who is a child in conflict with law, is seeking setting aside of the order dated 07.09.2022 passed by learned Principal Magistrate, Juvenile Justice Board, Bathinda and order dated 23.09.2022 passed by learned Additional Sessions Judge, Bathinda whereby the petitioner has been declined the benefit of bail in case FIR No.0103 dated 24.07.2022 under Section 307, 324, 323, 109, 148 and 149 IPC registered at Police Station Nathana, Bathinda.

Learned counsel for the petitioner, while drawing the attention of this Court to the FIR in question, submits that no doubt the petitioner was named in the FIR, however, a minute reading of the FIR clearly reveals that other than his presence being shown at the time of occurrence along with an iron rod, no other role much less any specific injury has

been attributed to him. Learned counsel submits that the petitioner does not have any criminal past and has been in custody since 08.08.2022 and there is no likelihood of the trial concluding in near future as the prosecution evidence is yet to commence.

Per contra learned counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Jaswinder Singh, has not been able to dispute the factual aspect of the submissions made by the counsel opposite qua the role attributed to the petitioner in the occurrence in question. Learned State counsel on further instructions has also not disputed that the petitioner is not involved in any other criminal case.

I have heard learned counsel and perused the relevant material on record.

The petitioner, who is a juvenile, has been in custody since 08.08.2022 coupled with the fact that the trial is unlikely to conclude in the near future, this Court deems it fit to extend the concession of bail to the petitioner.

Accordingly, the instant petition is allowed and the impugned orders are set aside. However, taking into consideration the vulnerable age of the revisionist, this Court deems it fit to enlarge him on bail subject to the satisfaction of Principal Magistrate, Juvenile Justice Board, Bhatinda along with following conditions.

- i) The father and mother of the petitioner shall ensure that he does not come in association with a person of criminal

antecedents and is not exposed to any physical, moral and psychological danger.

ii) The father and mother of the petitioner shall file an affidavit to this effect before the Principal Magistrate, Juvenile Justice Board, Bhatinda.

iii) They shall take good care of the petitioner and adhere to the above mentioned conditions, failing which, the concession of bail granted to petitioner, would be liable to be cancelled.

(MANJARI NEHRU KAUL)
JUDGE

23rd January, 2023
Sapna

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