

S. No.122

2023:PHHC:131977

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48679 of 2023

Date of Decision:11.10.2023

Dabbu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepam Ragav, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

This is a petition filed under Section 482 Cr.P.C for issuance of direction to learned Sessions Court to decide the application dated 25.07.2023 bearing registration No.CRM-583 of 2023 titled “Dabbu Versus State of Haryana”, for declaring petitioner as juvenile in case FIR No.0241 dated 27.06.2021 registered under Sections 365, 392, 394 IPC and Section 25(1-B)(A) of Arms Act, 1959 at Police Station Pataudi, District Gurugram.

Learned counsel for the petitioner has drawn attention of this Court towards order dated 25.08.2023 passed by this Court in CRM-M-27919 of 2023, which is as under:-

“Status report/reply by way of an affidavit of Shri Harinder Kumar, HPS, Assistant Commissioner of Police, Pataudi, Gurugram has been filed, in which it is conceded by respondent- State that at the time of occurrence age of the petitioner was 17 years and 23 days and thus he was juvenile at the relevant time.

In view of the aforesaid fact, learned counsel for the petitioner has made a statement so as to withdraw the petition with liberty to move bail petition before Juvenile Justice Board.

Dismissed as withdrawn, as prayed for with liberty aforesaid.”

Learned counsel for the petitioner contends that now application dated 25.07.2023 bearing registration No.CRM-583/2023 is fixed before learned Sessions Judge, Gurugram for declaring the petitioner as juvenile but the same is not being disposed of and because of that reason, bail petition of the petitioner is not being considered.

The only prayer made by the petitioner in this case is to direct the learned Sessions Judge to decide application for declaring him as juvenile expeditiously.

Petition is hereby disposed of with direction to learned Sessions Judge, Gurugram to dispose of the application as referred in the prayer clause, as early as possible, preferably within a period of one month, on receipt of copy of this order.

October 11, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No