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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR-981-2024

DATE OF DECISION: 20.05.2024

KALA

...PETITIONER

Versus

STATE OF UT CHANDIGARH

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Raina Godara, Advocate
Mr. Somita, Advocate and
Mr. Neil Roberts, Advocate for the petitioner(s).
Mr. S.S. Sandhu, Addl. PP, UT Chandigarh.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 against the order dated 26.02.2024 vide which the bail application of regular bail in FIR No. 85 dated 19.03.2023 under Sections 307/120-B added with Section 302 IPC registered at P.S.Sector-36 Chandigarh.

2. Learned counsel for the petitioner contends that as per the provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as "Act of 2015" in short) a child-in-conflict with law can only be declined the concession of bail on three accounts as stipulated in the aforesaid provision. He assails the order passed by the trial Court while urging that none of the aforesaid ingredients has been discussed and in a stereotyped manner, the prayer



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for grant of bail to the petitioner (Juvenile) has been rejected without recording reasons, which is a pre-requisite and mandate of Section 12 of the Act of 2015.

3. Notice of motion.

4. On the asking of the Court, Mr. Sidakmeet Sandhu, Addl. P.P., U.T., Chandigarh accepts notice on behalf of the respondent and is not in a position to controvert the arguments raised by learned counsel for the petitioner.

5. In view of the above, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

6. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

7. Petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

20.05.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>