

CRR-2054-2024

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2024-PHHC-166256



142

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

CRR-2054-2024

Date of Decision:12.12.2024

ARJUN SUNAR

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Abhijat Gaur, Advocate for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner against order dated 29.08.2024 passed by Court of Additional Sessions Judge, Mohali whereby the appeal filed by the petitioner under Section 52 of the Juvenile Justice Act, 2015 against the order dated 07.08.2024 passed by Principal Magistrate, Juvenile Justice Board, SAS Nagar, Mohali rejecting the bail application of the petitioner, has been dismissed.

2. The allegations in nutshell are that on 20.07.2024 at about 12:40 P.M., two young persons having muffled faces entered the premises of Apollo Diagnostic Centre, Dera Bassi and handed over one slip to the person who was sitting on the reception and then both of them went outside the diagnostic centre, where one another accomplice was standing. Thereafter one of them took out pistol and fired in the air and thereafter they fled away on a motorcycle. In the aforesaid paper slip, money was



demande by gang of Kaushal Chaudhary and if the money was not handed over then the owner has to face serious consequences. During investigation the petitioner was arrested on the same very day i.e. 20.07.2024.

3. Counsel for the petitioner submits that petitioner is a juvenile and is incarcerated for the last about 5 months and is having no criminal antecedents. It is further submitted that no one sustained injuries at the time of the alleged occurrence and that challan has been presented but it will take time for the trial to conclude. So, prayer is made that petitioner be released on regular bail during pending trial.

4. Present petition is resisted by the State Counsel, who submits that petitioner was hired by known gangster and through the petitioner and other two persons the said gangster tried to extort money from the owner of concerned diagnostic centre and the petitioner along with his accomplices went to the said diagnostic centre and handed over the paper slip having demand raised by the gangster and while coming out to the said diagnostic centre, one of the accused fired one shot in the air to create fear in mind of the owner of diagnostic centre. However, the State counsel has not disputed the fact that petitioner is a juvenile and is in custody for the last about 4 months and 20 days and is having no criminal antecedents. The State counsel also brought to the notice of the Court that it was co-accused Akash Rai who fired the shot and the petitioner was only driving the motorcycle which was used in commission of crime.



5. I have considered the submissions made by the counsel for the parties.

6. Taking into consideration the fact that petitioner is a juvenile and is already incarcerated for the last about 5 months and is having no criminal antecedents and further no one sustained injuries at the time of occurrence and furthermore it will take time for the trial to conclude and the only allegations against the petitioner are that he was driving the motorcycle which was used in commission of crime, no purpose is going to be served by prolonging the judicial custody of the petitioner.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

12.12.2024
Priyanka Thakur

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