

210

CRM-M-61901-2024

Decided on: 18.12.2024

Aman @ Amandeep Singh, minor through his father

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

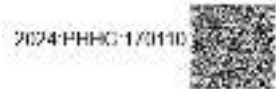
FIR No.	Dated	Police Station	Sections
99	26.10.2024	Sadar Jalalabad, Distt. Fazilka	21 of NDPS Act

1. The petitioner, who is under 16 years of age i.e. 15 years & 11 months at the time of occurrence, apprehending arrest in the FIR captioned above, whereas he could not have been arrested but despite that the Sessions Court rejected his anticipatory bail, has come up before this Court under Section 482 BNSS 2023 seeking anticipatory bail.

2. Although on the face of it, anticipatory bail would not lie because under Section 12 of Juvenile Justice Act 2015, petitioner cannot be arrested by police officers but in the entirety of facts and circumstances, petitioner's arrest is stayed till the time the police files the documents/launches prosecution before the Juvenile Justice Board.

3. At this stage, petitioner's counsel submits that he has instructions from petitioner's parents to state that petitioner shall not indulge in any crime and shall maintain good behaviour and remain peaceful.

4. Given above, petition is allowed. It is clarified that as and when the police produce their compilation before the Juvenile Justice Board, at that stage, it shall be permissible for the Juvenile Justice Board to take bonds as they would desire, in terms of Juvenile Justice Act.



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Petition allowed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

18.12.2024
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Whether speaking/reasoned:	Yes
Whether reportable:	No