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

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CRR-1185-2024

Date of Decision: 22.09.2025

TARSPREET SINGH @ GOLA

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. H.P.S.Rakhra, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. The present revision petition has been filed against the order dated 10.04.2024 passed by Id. Principal Magistrate, Juvenile Justice Board, Amritsar whereby the bail application filed by the petitioner has been dismissed and order dated 13.05.2024 passed by the Id. Additional Sessions Judge, (Fast Track Court) Amritsar whereby appeal filed by the petitioner has also been dismissed.

2. The case of the prosecution is that on 26.11.2023, the complainant was going on a motorcycle along with his wife namely Mandeep Kaur and son namely Gursimrandeep Singh. When they reached near Dera Baba Darshan Singh, Ghanupur, the petitioner along with co-accused came from behind and tried to snatch the purse of the wife of the complainant. Thereafter, they

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forcibly tried to snatch the purse which led to her fall on the road causing severe injuries on her head which consequently led to her death.

3. Learned counsel for the petitioner submits that the petitioner is a juvenile and has been falsely implicated in the present case. He further submits that the alleged act has not been committed by the petitioner and he has been implicated on mere suspicion. The petitioner is in custody since 26.11.2023 and is facing trial before the Juvenile Justice Board. He further submits that the petitioner is a sincere person and has never been involved in any criminal activities. He further submits that the maximum sentence that can be awarded to a juvenile is three years as per Section 18 of the Juvenile Justice Act. He further submits that as per Section 12 of Juvenile Justice Act, a juvenile is entitled to bail as a matter of right, provided that if enlarged on bail, the juvenile would not be exposed to moral or physical danger.

4. Learned State counsel and learned counsel for the complainant have vehemently opposed the prayer made by the learned counsel for the petitioner. Learned State counsel has not disputed the fact the petitioner is in custody for the last more than 01 year 09 months and 21 days. He further submits that the petitioner is not involved in any other case.

5. I have heard the learned counsel for the parties.

6. Section 12 of the Juvenile Justice Act provides for a non-obstante clause for governing the provisions of bail to a juvenile. Ordinarily bail should be granted to a juvenile who is a child-in-conflict with



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law but as per the proviso of Section-12 of the Juvenile Justice Act, bail can be denied only due to strong and extreme reasons.

7. Keeping in view the above, this Court is of the considered view that the present petition deserves to be allowed considering custody of the petitioner. Consequently, the present petition is allowed. Therefore, the order 10.04.2024 passed by Id. Principal Magistrate, Juvenile Justice Board, Amritsar and order dated 13.05.2024 passed by the Id. Additional Sessions Judge, (Fast Track Court) Amritsar are hereby set aside. The petitioner is ordered to be released on bail to the satisfaction of the concerned Principal Magistrate, Juvenile Justice Board/Duty Magistrate.

8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal activity, it shall be open to the State to seek cancellation of his bail.

9. However, anything observed hereinabove shall not have any bearing on the merits of the case.

22.09.2025
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(H.S.GREWAL)
JUDGE

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