

**CRR-2588-2024****-1-**

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

228**CRR-2588-2024****Date of Decision: 10.09.2025****SAHID @ PETROL****... PETITIONER**

VERSUS

STATE OF HARYANA**... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Sandeep Saini, Advocate for the petitioner.

Mr. Tapan Masta, Addl. Advocate General, Haryana.

Mr. L.M.Gulati, Advocate for the complainant.

H.S. Grewal, J.(Oral)

1. The present revision petition has been filed against the order dated 23.01.2024 passed by Id. Principal Magistrate, Juvenile Justice Board, Yamuna Nagar at Jagadhari whereby the bail application filed by the petitioner has been dismissed and order dated 28.11.2024 passed by the Id. Additional Sessions Judge, Yamuna Nagar at Jagadhari whereby appeal filed by the petitioner has also been dismissed.

2. The case of the prosecution is that the petitioner along with his co-accused has attacked the house of the complainant and has beaten him and his brothers Sadam, Tasavar, Manavar, his sister-in-law Imrana and his mother Begum which led to the death of Manavar. It is alleged that the petitioner had stabbed the deceased using a knife.

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3. Learned counsel for the petitioner submits that the petitioner is a juvenile and has been falsely implicated in the present case. No specific role is attributed to the appellant/child-in-conflict with law. The petitioner is in custody since 26.05.2023 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. However, the petitioner is in custody for the last more than 02 years. 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 on the ground that allegations against the petitioner are very serious in nature. Learned State counsel has not disputed the fact the petitioner is in custody for the last more than 02 years. It has been pointed out that the petitioner has uploaded pictures on the social media with weapons like gandas, knife and fire arm.

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 the 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 more than two years pertaining to the present petitioner. Consequently, the present petition is allowed. Therefore, the order 23.01.2024 passed by Id. Principal Magistrate, Juvenile Justice Board, Yamuna Nagar at Jagadhari and order dated 28.11.2024 passed by the Id. Additional Sessions Judge, Yamuna Nagar at Jagadhari 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 including brandishing of weapons even on social media, 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.

10.09..2025*renu***(H.S.GREWAL)
JUDGE**

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