

2026:PHHC:079163



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

**CRR-981-2026 (O&M)**  
**Reserved on: 13.05.2026**  
**Pronounced on: 20.05.2026**  
**Uploaded on: 20.05.2026**

**K alias J through his father**

**...Petitioner**

**V/S**

**State of Punjab and others**

**...Respondents**

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

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

Mr. Sukhbeer Singh, DAG, Punjab.

Mr. J.K. Singla, Advocate and  
Ms. Suman Rani, Advocate for respondent No.2.

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**SHALINI SINGH NAGPAL, J.**

1. The revision petition under Section 102 of Juvenile Justice (Care and Protection of Children) Act, 2015 assails order dated 23.03.2026 of learned Judge, Children's Court, Mansa, dismissing an appeal against order dated 25.04.2025 of Learned Principal Magistrate, Juvenile Justice Board.

2. Mother of the prosecutrix stated in her complaint that she retired as Supervisor from Health Department in 2024. She had two sons, her elder son was a divorcee. 'G' daughter of her son Simarjit Singh was living with her since birth in village Kallo, District Mansa and she adopted her on 28.03.2023. 'G' was about 14 years of age. In 2019, she started residing with 'G' at Preet Nagar, Ward No.2, Mansa.

‘G’ who had been mentally tense for some time disclosed to her that in August, 2022, when she was a student of Class 7<sup>th</sup>, she created an Instagram ID on which she received a friend request from one Jerry, who was a common friend. Jerry started chatting with her on Instagram and later proposed, to which she refused. He repeatedly asked her to have relations with him but every time she refused. He started roaming outside the house and made gestures to her. On 21.09.2022, when there was no one in the house, he entered the house through stairs, used force and later developed physical relations against her wish. He also prepared her nude video which he sent on her ID. On that pretext, he made relations with her again and again. In July, 2023, a boy ‘G’ sent a screen shot of the video through Instagram ID and started blackmailing her. He told her that the video was sent by Jerry and threatened to upload the video, if she did not have relations with him. Out of fear, she made relations with him. While blackmailing her, he also demanded money.

3. Learned counsel for the appellant submits that bail application filed by the appellant before the Juvenile Justice Board, Mansa was declined vide order dated 25.04.2025. Appellant filed an appeal before the learned Children’s Court, Mansa, which too was dismissed on 23.03.2026 on the ground of 247 days delay. He submits that the appellant was a juvenile in conflict with law and was entitled to bail in terms of Section 12 of Juvenile Justice Act, 2015. Similarly situated co-accused Gurdeep Singh had been allowed. He thus prayed

that order dated 23.03.2026 passed by learned Judge, Children Court be set aside. In support of his arguments, he refers to the decision of Hon'ble Supreme Court in '*Pawan vs. The State of Maharashtra*' Criminal Appeal No(s).328 of 2022.

4. Status report by way of affidavit of Deputy Superintendent of Police, Sub-Division Mansa, District Mansa, has been filed by learned State counsel, which is taken on record. Learned State counsel assisted by counsel for respondent No.2 supports the order of learned Judge, Children's Court, Mansa, refusing the application for condonation of 247 days delay in filing the appeal on the ground that no convincing reason was assigned.

5. The appellant, undisputedly is a child in conflict with law. His prayer for bail was refused by learned Principal Judge, Juvenile Justice Board vide order dated 25.04.2025. He filed appeal assailing the order of learned Principal Magistrate, Juvenile Justice Board and along with the appeal, moved an application for condonation of delay of 247 days in filing the appeal on the ground that he was only bread winner in the family, doing labour work and had no knowledge of court proceedings.

6. The expression sufficient cause used in Section 5 of the Limitation Act is to be construed liberally to enable the courts to apply the law in a meaningful manner. While dealing with the appeal of a juvenile in conflict with law, learned Children Court was required to adopt a child centric approach and ought to have considered that the

juvenile in conflict with law was in custody w.e.f. 15.02.2025. The fact that learned Principal Magistrate, Juvenile Justice Board while determining the prayer for bail of the juvenile completely overlooked the provisions of Section 12 of Juvenile Justice Act, 2015 and failed to take into consideration the Social Investigation Report also ought to have been kept in focus. The ground for condonation of delay was not properly appreciated. It is, thus, deemed appropriate to set aside impugned order of learned Children Court.

7. The appeal is allowed. The case is remitted to the learned Appellate Court for fresh consideration of the appeal, on merits, after condoning the delay.

8. Needless to add that the appeal shall be decided expeditiously given the fact that the petitioner is in custody.

(SHALINI SINGH NAGPAL)  
JUDGE

**Reserved on: 13.05.2026**  
**Pronounced on: 20.05.2026**  
*Kapil*

*Whether speaking/reasoned* : Yes/No  
*Whether reportable* : Yes/No