

2026:PHHC:037793



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

147

CRR-3108-2025

Date of Decision: 11.03.2026

VXXXX (MINOR)

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Rajesh Duhan, Advocate
for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

This Criminal Revision Petition has been preferred by the petitioner against the judgment dated 27.11.2025 passed by the Addl. Sessions Judge, Kurukshetra whereby the appeal No.394 of 2025 filed against order dated 03.11.2025 passed by the learned Principal Magistrate, Juvenile Justice Board, Kurukshetra declining bail to the petitioner in case bearing FIR No.271 dated 01.06.2025 under Sections 103(2), 115(2), 190, 191(3), 238(b) and 351(3) of BNS, 2023 registered at Police Station Kurukshetra University, Kurukshetra, District Kurukshetra has been dismissed.

2. The case of the prosecution is that the petitioner alongwith his co-accused have caused death of Ram Rattan and gave injuries to the complainant as well. As per the case of the prosecution, accused Mohit had hit Ram Rattan on the backside of his head with an iron rod, which proved to be fatal and thereby caused

his death. Besides, the other accused persons namely Mohit, Sahil, Balraj, Nitin, Aaryan and Vikram @ Vicky and Ram Kumar also assaulted Purna Singh and his family members with bricks and stones. Purna Singh had sustained injuries on his left arm and chest.

3. Learned Counsel for the petitioner contends that the petitioner (CCL) is a juvenile of 15 years. He further submits that the petitioner has been attributed only a simple injury i.e. a fist blow to the deceased Ram Rattan, however, none of the fatal injuries, which caused death of Ram Rattan, has been attributed to the petitioner. He further submits that the fatal injuries have been attributed to the co-accused Mohit, who had allegedly given injuries on the backside of head of the deceased with an iron rod. It is further stated that the petitioner (CCL) is in Observation Home for the last more than 08 months and inquiry against him is yet to commence and as such, the same will take a long time to conclude. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence. Hence, he prays for dismissal of the present petition. The affidavit filed by the Superintendent, Place of Safety, Madhuban, Karnal has been placed on record by the learned State Counsel, which shows that the petitioner is in Observation Home for the last more than 08 months.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in Observation Home for the last more than 08 months coupled with the fact that the inquiry against the petitioner (CCL)

will take a long time to conclude, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed and the impugned judgment dated 27.11.2025 passed by the Addl. Sessions Judge, Kurukshetra as well as the impugned order dated 03.11.2025 passed by the learned Principal Magistrate, Juvenile Justice Board, Kurukshetra are hereby set aside. The petitioner is ordered to be released from Observation Home, Madhuban, Karnal on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the Principal Magistrate, J.J. Board, Kurukshetra/Duty Magistrate concerned.

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

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 11, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No