

Smt Kamlesh Devi vs State Of Rajasthan Through Pp on 1 May, 2017

Author: Pankaj Bhandari

Bench: Pankaj Bhandari

HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR

S.B. Criminal Revision No. 325 / 2017

Smt. Kamlesh Devi W/o Purn Singh, B/c Jat, for Her Natural Guardian
Mother Legally Master Praveen S/o Purn Singh B/c Jat, R/o Gawandi Jat,
Police Station Nangal Chaudhary, District Mahendragarh, Haryana. (At
Present in Observation Home, Jhunjhunu), R/o Gawandi Jat, Police
Station Nangal Chaudhary, District Mahendragarh.

----Petitioner

Versus

State of Rajasthan Through P.P.

----Respondent

_____ For Petitioner(s) : Mr.
Rohitash Kajla For Respondent(s) : Ms. Sonia Sandilya, PP
_____ HON'BLE MR.
JUSTICE PANKAJ BHANDARI Judgment / Order 01/05/2017

1. Petitioner through her natural guardian mother, has preferred this revision petition aggrieved by order dated 06.12.2016 passed by the Juvenile Justice Board, Jhunjhunu and order dated 15.12.2016 passed by the Sessions Judge, Jhunjhunu whereby the application was filed by the petitioner under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. It is contended by counsel for the Juvenile that the Juvenile has not been released by the Court on the ground that Juvenile is involved in two cases.

3. Public Prosecutor has opposed the revision petition. Her contention is that the Juvenile is involved in offences pertaining to robbery.

4. I have considered the contentions.

5. The only ground on which the bail application was rejected by the (2 of 2) [CRLR-325/2017] Court below was that the Juvenile has two similar type of cases lodged against him and that he is in

company of criminals. The first matter was reported to the police on 26.09.2016 and the other FIR was lodged on 28.09.2016. The petitioner was detained on 01.12.2016 and thereafter he was detained in the other case on 08.12.2016.

6. The gravity of offence is not to be seen while dealing with an application filed by the Juvenile in conflict with law. This is not a case where the Juvenile has indulged in a criminal activity after being released on bail rather both the offences have been committed in succession within a span of two days.

7. There was nothing on record to suggest that release of Juvenile will bring him into association of known-criminals and which would have negative impact on the Juvenile. The ground on which bail has been rejected is not a justifiable ground.

8. Consequently, the revision petition is allowed.

9. It is directed that Master Praveen S/o Purn Singh B/c Jat, R/o Gawandi Jat, Police Station Nangal Chaudhary, District Mahendragarh, Haryana, be released on bail, provided his natural guardian mother, furnishes a personal bond in the sum of Rs. 25,000/- alongwith two sureties in the like amount to the satisfaction of the concerned Juvenile Justice Board with the stipulation that she shall produce the petitioner before the concerned Juvenile Justice Board on all dates, till the enquiry or trial is completed. His natural guardian mother shall ensure that the juvenile in conflict with law maintains good conduct and behaviour.

(PANKAJ BHANDARI), J.

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