
(2020) 03 P&H CK 0043

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Revision No. 406 Of 2020 (O&M)

Ranjodh Singh

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision: March 3, 2020

Acts Referred:

- Indian Penal Code, 1860 - Section 120B

Hon'ble Judges: Gurminder Singh Gill, J

Bench: Single Bench

Advocate: D.S. Malwai, Rashmi Attri

Judgement

Gurminder Singh Gill, J

1. The petitioner has approached this Court seeking setting aside of order dated 21.12.2019 passed by learned Additional Sessions Judge, Faridkot

whereby his appeal challenging order dated 3.10.2019 passed by the Court of learned Principal Magistrate, Juvenile Justice Board, Faridkot declining

his application seeking grant of bail, has been dismissed.

2. The FIR was lodged at the instance of Lovepreet Singh, wherein it has been alleged that on 23.8.2019 at about 7:00 P.M. when he alongwith

Manpreet Singh @ Mani and Gurpreet Singh were returning home after "Kabbadi"™ practice in school on their motorcycle driven by Manpreet

Singh @ Mani, then they were way laid by two motorcycle borne persons, who brought their motorcycle parallel to their motorcycle and fired at

Manpreet Singh @ Mani on his neck. It is further alleged that although Manpreet Singh @ Mani was immediately taken to hospital, but he succumbed

to his injuries.

3. The learned counsel for the petitioner has submitted that the petitioner is neither named in the FIR and even as per the evidence collected by the police, the petitioner is sought to be implicated with the aid of Section 120-B IPC and there is no such allegation that the petitioner had fired at the deceased. It has further been submitted that, in any case, the petitioner is a juvenile being aged about 17 years and in these circumstances the impugned order deserves to be set aside and the petitioner deserves to be released on bail.

4. Mr. Amaninder Singh Sekhon, Advocate has today put in appearance on behalf of the witness/brother of deceased and has filed Vakalatnama, which is taken on record.

5. Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant has submitted that the brother of deceased

namely Amritpal Singh made a statement on 30.8.2019 to the effect that his brother Manpreet Singh @ Mani had been murdered by Neeraj @

Chaska and Deepak after hatching a conspiracy with petitioner and one Gurwinder Singh @ Teetu. The learned State counsel has further informed

that during the course of investigation the investigating agency laid hands on some "whatsapp"™ conversation between the petitioner and one

Mantar Singh, who was confined in jail and from which it is apparent that the aforesaid Mantar Singh wanted to eliminate Manpreet Singh @ Mani.

6. The learned counsel for the complainant has submitted that the petitioner had conducted a recce of the area which had facilitated the co-accused to murder Manpreet Singh @ Mani and that in these circumstances, the petitioner does not deserve the concession of bail.

7. I have considered rival submissions addressed before this Court.

8. Keeping in view the fact that the petitioner is a juvenile and that even as per the case of the prosecution he is not the one, who is stated to have fired at the deceased, and is being sought to be involved on the ground that he had conspired with the main accused, and while also noticing that the

petitioner has been behind bars since the last about six months, the juvenile petitioner deserves the concession of bail. The present petition, as such, is

accepted. The impugned order dated 21.12.2019 passed by learned Additional Sessions Judge, Faridkot and order dated 3.10.2019 passed by the Court

of learned Principal Magistrate, Juvenile Justice Board, Faridkot are hereby set aside. The petitioner Ranjodh Singh is ordered to be released on bail

on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Further the parents of the petitioner shall ensure that the petitioner does not come in association with any known criminals and keeps away from

such persons and does not indulge in any other offence.