

**BEFORE PUNEET LIMBHA, PRINCIPAL MAGISTRATE AND
MEMBERS, JUVENILE JUSTICE BOARD, PANIPAT.
(PRESIDED OVER BY SHRI PUNEET LIMBHA)
UID No. HR0398
JJB 27-2025**

HRPP030046432025



Presented on : 29-03-2025
Registered on : 29-03-2025
Decided on : 29-07-2026
Duration : 1 years, 4 months, 0 days

State Versus **AXXX** (name and parentage withheld to protect identity).
Age: 16 years 03 months 29 days.

....Child-in-conflict with law.

Case FIR No. 349 dated 16.12.2025.
Under Section: 310(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.
Police Station: Matlauda, Panipat.

Present: Shri Raman Chaudhary, APP for the State.
CCL AXXX on bail represented by Ms. Poonam,
Advocate.

DISPOSITIONAL ORDER

The above named child-in-conflict with law has been
forwarded by Incharge, Juvenile Police Unit of Police Station City, Panipat

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for facing inquiry under Section 310(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 (hereinafter referred to as BNS).

FACTS OF THE PROSECUTION

2. In brief, the prosecution Case is that on 16.12.2024, Complainant Rohit son of Suresh Kumar presented a written Complaint alleging therein that on 01.11.2024, he was coming towards village Madluada from Panipat in a truck and when he reached near Mahadev Dhaba, Bhalsi, Driver of the truck stopped his truck at Mahadev Dhaba and he was coming towards Panipat on foot and when he reached just ahead to Nirankari Satsang Bhawan, at about 10.30 pm, one white coloured Car came from the side of Madlauda and the same stopped near him and out of the said car, 4-5 youths alighted and they assaulted him by giving fist and slap blows and snatched his two mobile phones, purse containing Cash amount of approximately Rs.16/17,000/- and some documents. His mobile phones were of make Samsung FE 20 and I-Phone 13 and after snatching his mobile phones and purse, they also fled away in their Car towards Panipat side. The Complainant further added that he was under the fear by that time and prayed for taking legal action against the Attackers/ Snatchers.

3. On the basis of this Complaint, case under Section 310(2) of BNS was registered. Investigation proceedings were initiated. On the same day, accused Shubham, Sahil, Sunny, Zakir and Sumit and Ankit, who were

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in Custody in case bearing FIR No.419 dated 14.12.2024, suffered disclosure statements regarding their involvement in the present Case. They were joined in the investigation of this case on 04.01.2025 and subsequently, were arrested in the present FIR. Their disclosure Statements were recorded. Offences punishable under Section 310(2) of BNS was added in this case and offence punishable under Section 309 of BNS was deleted. All the accused demarcated the place of occurrence. Accused Zakir got recovered the snatched mobile phone make I-Phone 13 and the same was taken into police possession. Accused Sumit got recovered the snatched mobile phone make Samsung FE-20 and the same was taken into police possession. After completion of the necessary investigation and usual formalities, final report was prepared and submitted in the Court of learned Illaqa Magistrate for trial of the accused and separate enquiry report was submitted against CCL 'A' before the Principal Magistrate, Juvenile Justice Board, Panipat. After Completion of Investigation, Final Inquiry Report was prepared and presented before the Board.

STATUTORY COMPLIANCE

4. Copy of documents of final Inquiry Report, as contemplated under Section 230 BNSS was supplied to the CCL, free of costs.

NOTICE OF ACCUSATION

5. Thereafter, CCL was served with notice of accusation for his

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involvement in the alleged commission of offence punishable under Section 310(2) BNS to which he pleaded his non-involvement and claimed inquiry.

PROSECUTION EVIDENCE

6. In order to prove the involvement of the CCL, prosecution got examined the following witnesses:

PW-1	SI Jawahar Lal
PW-2	EHC Rajraj
PW-3	EHC Rohit
PW-4	Rajesh Kumar, Record-keeper
PW-5	HC Ranbir
PW-6	ESI Mukesh Kumar
PW-7	SI/SHO Pawan Kumar
PW-8	Rohit, Complainant
PW-9	SI Rohtash, Investigating Officer

Thereafter, evidence of the prosecution was closed on 07.07.2026 due to exhausted list of witnesses.

STATEMENT UNDER SECTION 351 BNSS

7. All the incriminating circumstances appearing in the evidence of prosecution was put to the CCL in his statement recorded under Section 351 of BNSS. He controverted the same and pleaded false implication and opted not to lead any evidence in his defence.

DEFENCE EVIDENCE

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8. The defence did not lead any evidence and same was closed by learned Defence evidence.

9. The point for determination is that whether on 01.11.2024 at around 10:30 P.M, in the area of Police Station Matlauda, Panipat, CCL alongwith his associates (tried separately being Majors) committed robbery of two Mobile Phones i.e. One is Marka Apple and other is marka Samsung and Purse containing documents and Rs. 16/17,000/- belonging to Complainant Rohit and hereby remained involved in the commission of offence punishable under Section 310(2) BNS.

10. In order to prove its case, prosecution has examined following witnesses:-

PW-1 SI Jawahar Lal, appeared and stated that on 16.12.2024, he was posted as I.O in CIA-2 Panipat. On that day, in case bearing FIR No. 419/2024, Police Station Israna, Panipat, accused Shubham, Sunny, Sumit, Zakir, Ankit, Vikash, Ravi, Himanshu and Sahil were arrested and their Disclosure Statements were recorded vide Memo Ex.PW1/A to Ex.PW1/F and in pursuance of Disclosure Statement of accused Shubham, Car bearing Registration No. HR-33K-0403 used in the commission of crime was taken into Police possession. He identified the CCL present before the Board. *In his cross-examination*, he stated that he arrested above-named accused persons in FIR No. 419/2024 on 16.12.2024 on receiving secret information

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they were were 9 offenders in total and 5 danda were present in the Car.

PW-2 EHC Ramraj appeared and stated that on 04.01.2025, after recording Disclosure Statements of accused Shubham, Sahil, Sumit, Zakir, Sunny & Ankit, on next day i.e. 05.01.2025, Demarcation Memo was prepared and during Recovery Proceedings, two snatched Mobile Phone were got recovered from accused Zakir & Sumit. On 05.01.2025, after conducting Medical examination of accused persons, they were produced before the Court. He proved the Apprehension Memo of CCL Ex.PW2/A, which bears his signatures at Point-A & Point-B. He proved Arrest Memo of accused Sumit Ex.PW2/B, Arrest Memo of accused Sunny Ex.PW2/C, Arrest Memo of accused Shubham Ex.PW2/D, Arrest Memo of accused Zakir Ex.PW2/E, Arrest Memo of accused Sahil Ex.PW2/F, Disclosure Statement of CCL Ankit Ex.PW2/G, Disclosure Statement of accused Zakir Ex.PW2/H, Disclosure Statement of accused Shubham Ex.PW2/I, Disclosure Statement of accused Sumit Ex.PW2/K, Disclosure Statement of accused Sunny Ex.PW2/L, Recovery Memo of Mobile Phone Ex.PW2/M, Recovery Memo of another Mobile Phone Ex.PW2/N, Site Plan of place of Recovery Ex.PW2/O, & Ex.PW2/P, which bears his signatures at Point-A, Identification Memos of Mobile Phones Ex.PW2/Q & Ex.PW2/R, which bears his signatures at Point-A & Point-B. He also proved Demarcation Memo Ex.PW2/S. He identified the CCL present before the Board. *In his*

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cross-examination, he stated that he do not know before which Court, the accused were produced because it was a holiday on that day. He stated that Disclosure Statements of accused persons were recorded in his presence on 04.01.2025. He stated that no recovery whatsoever has been effected from CCL.

PW-3 EHC Rohit appeared and stated that he was posted as Maalkhana Morhar in Police Station Matlauda, Panipat. On that day, I.O had deposited one Mobile Marka Samsung, One Mobile marka I-Phone and one car used in the commission of crime, with him and the case property was released on superdari to its real owners. He stated that as and when the case property was with him, no tampering with the same by anyone. *In his cross-examination*, he stated that I.O had handed over the case property after converting into sealed form. He stated that Case property was released on Superdari.

PW-4 Rajesh Kumar, Record-keeper appeared and stated that on 18.01.2025, he was posted in the Court of Ms. Himani Gill, learned JMIC, Panipat as Reader. On that day, Superdari Orders was passed in case bearing FIR No. 349 dated 16.12.2024 u/s 309(6) BNS, Police Station Matlauda, Panipat, was passed by learned Presiding Officer vide which two Mobile Phones Marka Samsung & Marka I-Phone were released on Superdari and the Copy of the said Order was issued by him on dated 18.01.2025 and at

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Point-A, he identified his signatures. Copy of Order Ex.PW4/A . He has no personal knowledge regarding the case and he only deposed before the Board as per the Record.

PW-5 HC Ranbir appeared and stated that on 16.12.2024, he was joined in the investigation of the present case alongwith I.O in case bearing FIR No. 419 dated 14.12.2024 under Sections 310(2), 311 BNS, Police Station Israna. On that day, accused Shubham, Sumit, Zakir, CCL 'A' , Sunny, Vikas, Ravi, Himanshu & Sahil were arrested near Sector-29 Turn, Chautala Road, Panipat in a Car bearing Registration No. HR-33K-0403 and their search was conducted. During search, Dandas were recovered from accused Sumit, Sunny, Zakir, Ankit & Vikas, One knife was recovered from accused Zakir, Rs. 1650/- was recovered from accused Vikas, One Mobile Phone marka Xioami recovered from accused Sumit, One Mobile Phone recovered from accused Zakir, One Mobile Phone recovered from accused Sunny, One Mobile Phone recovered from accused Ravi, One Mobile Phone recovered from accused Sahil, One Car and Mobile Phone of accused Shubham recovered from him vide which he made a Video. All the case property was converted into sealed parcels and seal with the seal of AK. He also proved Disclosure Statement of accused Sumit Ex.PW1/A, Disclosure Statement of accused Sunny Ex.PW1/B, Disclosure Statement of accused Zakir Ex.PW1/C, Disclosure Statement of CCL

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Ex.PW1/D, Disclosure Statement of accused Sahil Ex.PW1/E, Disclosure Statement of accused Shubham Ex.PW1/F, Recovery Memo Ex.PW1/G which bears his signatures at Point-A. He identified the CCL present before the Board. *In his cross-examination*, he stated that he do not know whether the information regarding attackers was received by I.O through Secret informer or not. He stated that when they were apprehended, no weapons whatsoever has been effected from attackers. He stated that when the attackers were apprehended, it was a crowded place, however, no public/private witness was joined during investigation proceedings. He stated that he has no role in the present FIR.

PW-6 ESI Mukesh Kumar, appeared and stated that on 16.12.2024, he was posted as Maalkhana Mohrar at Police Station Israna, Panipat. On that day, SI Jawahar Lal deposited one Car bearing Registration No. HR-33K-0403 with him which was released on Superdari Vide Order dated 11.02.2025. *In his cross-examination*, he stated that he has no personal knowledge regarding the present case. He stated that Recovery was not effected in his presence nor FIR was lodged in his presence.

PW-7 SI/SHO Pawan Kumar, appeared and stated that on 27.03.2025, he was posted in Police Station Matlauda, Panipat. On that day, Final Inquiry Report was prepared by ASI Chandgi Ram and he appended his signatures on the same. *In his cross-examination*, he stated that he has no

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personal knowledge regarding the present case.

PW-8 Rohit, Complainant/Injured appeared and stated that on 01.11.2024, he was coming towards village Madluada from Panipat in a truck and when he reached near Mahadev Dhaba, Bhalsi, Driver of the truck stopped his truck at Mahadev Dhaba and he was coming towards Panipat on foot and when he reached just ahead to Nirankari Satsang Bhawan, at about 10.30 pm, one white coloured Car came from the side of Madlauda and the same stopped near him and out of the said car, 4-5 youths alighted and they assaulted him by giving fist and slap blows and snatched his two mobile phones, Purse containing Cash amount of approximately Rs.16/17,000/- and some documents. His mobile phones were of make Samsung FE 20 and I-Phone 13 and after snatching his mobile phones and purse, they also fled away in their Car towards Panipat side. Thereafter, he reached nearby Petrol Pump, demanded Mobile Phone of one Employee and made a call to 112. Thereafter, 112 No. Van came at the spot and took him to Police Station Matlauda and asked him to move a Complaint in the morning. Thereafter, when he came to Police Station Matlauda on the next morning, he was produced before SHO Concerned and he narrated the whole incident to SHO and moved the written Complaint. After sometime, he came to know that in pursuance of his complaint, missing Report was Registered. Thereafter, on 15.12.2024, he came to know that CCL was apprehended. Thereafter, he

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again moved a Complaint Ex.PW8/A, on the basis of which FIR was registered. On 05.01.2025, CCL was identified and thereafter, he called in the Police Station where accused Zakir & Sumit got recovered Mobile Phones marka Apple and Samsung belonging to Complainant, which were identified by him vide Memo Ex.PW2/R & PW2/Q, which bears his signatures at Point-A. Thereafter, he received his Mobile Phones on Superdari vide Memo Ex.PW8/B & Ex.PW8/C, which were recovered by the Police vide Recovery Memo Ex.PW8/D, which bears his signatures at Point-A. He identified the CCL present before the Board. *In his cross-examination*, he stated that he moved the Complaint on 16.12.2024 and same was written by him. He stated that the incident is of 01.11.2024. Again stated that the incident is of 02.11.2024. He stated that he visited once in Police Station since 02.11.2024 to 16.11.2024. He stated that Police disclosed to him that his Mobile Phones were kept on tracking. He stated that Police got recovered his both Mobile Phones on 04.01.2025 again stated that on 05.01.2025. He stated that CCL Ankit whose name was known to him in Police Station, he saw him at the spot who at the time of causing injuries to him, removed the cloth of his face and he identified him and thereafter, CCL Ankit was seen and identified by him in the Police Station. He stated that no recovery whatsoever has been effected from CCL. He stated that out of snatched money, Rs. 4,000/-came in his share and he spend

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the said amount on his meal. He stated that he do not know the name of person from whom he took the Mobile Phone and made a call to 112. He stated that no person from the Petrol Pump was joined in the investigation of the present enquiry.

PW-9 SI Rohtash appeared and stated that on 16.12.2024, he was posted as I.O in Police Station Matlauda, Panipat. On that day, a Complaint was moved by Complainant Rohit bearing No. 1734-SP in the Police Station, Matlauda. On which FIR No. 349 of 2024 under Section 309(2) BNS Police Station Matlauda, Panipat. During Investigation, scaled site Plan of Place of Occurrence Ex.PW9/A and proved Application Ex.PW8/A. During Investigation, Disclosure Statements of accused persons were recorded pertaining to present FIR. On this information, in pursuance of Disclosure statements of accused persons Sumit, Sunny, Zakir, Ankit, Sahil & Shubham, One Swift Car bearing Registration No. HR-33K-0403 white in colour, vide Memo Ex.PW1/G, Disclosure Statements Ex.PW1/H and Ex.PW1/M. On 24.12.2024, one application was moved for issuing warrant of arrest against the accused persons Ex.PW1/O and thereafter, Application was moved for joining the investigation Ex.PW9/C, Arrest Memo of accused persons Ex.PW2/A to Ex.PW2/F, Disclosure Statements Ex.PW2/G & Ex.PW2/L, Demarcation Memo Ex.PW2/S. In pursuance of Disclosure Statements of CCLs Zakir and Sumit, Mobiles belonging to

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Complainant got recovered vide Recovery Memo Ex.PW2/Q & Ex/PW2/R and same were identified by the Complainant of his own. He stated that Rs. 4,000/- came in share of CCL which he spent the same on his meal. He identified the CCL present before the Board. *In his cross-examination*, he stated that Complainant visited Police Station alone and Complaint was also written by him. He stated that he visited the spot alongwith Complainant. He stated that no public/private witness was joined during Investigation Proceedings. He stated that no recovery has been effected from CCL in his presence. He stated that no proof with the Police by which it could be proved that any role of CCL 'A' was proved.

POINTS OF DETERMINATION

10. In the present inquiry, the points for determination are as follows-

1. Whether CCL 'A' is a juvenile on the date of occurrence, i.e., 01.12.2024?
2. Whether CCL 'A' was involved in commission of snatching and causing grievous hurt to Complainant/Injured?

SUBMISSIONS BY LD. APP FOR THE STATE

11. It has been submitted by the learned APP for the State, duly assisted by learned counsel for the complainant, that the prosecution, in order to substantiate the charge of murder, has examined as many as **Nine**

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witnesses, whose testimonies collectively establish the occurrence beyond doubt and clearly prove the active role of the child in conflict with law (CCL 'A') in the commission of the alleged offence. It is argued that the prosecution case rests on strong **direct, medical, scientific and circumstantial evidence**, which forms a complete and unbroken chain pointing solely towards the involvement of the CCL. Particular emphasis has been laid upon the testimony of **PW-8 Rohit**, Complainant/Injured, who is the sole eyewitness to the occurrence and has categorically deposed that when the CCL gave beatings to him, the cloth of his face was removed and he identified the CCL. His presence at the spot is natural and unquestionable, and his testimony remains consistent, trustworthy and free from material contradictions. The learned APP has also contended that the disclosure statement made by the CCL, though requiring corroboration, lends additional support to the prosecution case by revealing his knowledge of material facts connected with the incident. It is submitted that the defence has failed to bring forth any credible version to dislodge the consistent prosecution evidence. No material contradictions or infirmities have emerged that would create reasonable doubt. In view of the consistent testimony of Complainant & Injured proved motive, and the conduct of the CCL before and after the incident, it is argued that the prosecution has successfully established the involvement of the Child in conflict with law beyond reasonable doubt. With

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these submissions, it is prayed that the CCL be held responsible for committing the offence of snatching and causing hurt to Complainant be dealt with in accordance with the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015.

SUBMISSIONS BY LD. DEFENCE COUNSEL

12. On the other hand, the learned Defence Counsel for the Child in conflict with law (CCL 'A') has argued that the prosecution has failed to prove the child's involvement in the alleged incident and that he has been falsely involved. It is submitted that the case rests primarily on the testimony of a single alleged eyewitness whose version suffers from material contradictions and improvements. His conduct appears unnatural, and crucial evidence—such as seizure of his blood-stained clothes—was not collected, rendering his presence at the spot doubtful. No independent witness from the locality examined to support the prosecution, and most witnesses are hearsay in nature. The learned Defence Counsel further argues that the alleged recovery of the weapon is doubtful, as no independent witnesses were joined. No fingerprints were found, and other persons present at the place of incident were not examined, creating serious gaps in the investigation. The prosecution has failed to establish any clear motive, as the alleged prior quarrel is vague and unsupported by prior complaints. The evidentiary value of the alleged disclosure statement is also challenged on the ground that it cannot by itself form the basis of conviction. It is further submitted

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that the child has clean antecedents and has shown positive reform during protective supervision, which is a relevant consideration under the rehabilitative scheme of the Juvenile Justice (Care and Protection of Children) Act, 2015. In these circumstances, it is prayed that the child be given the benefit of doubt and discharged from the present proceedings.

13. Rival contentions of both the parties have been heard, CCL have also been heard personally and after careful and meticulous perusal of Social Investigation Reports as well as the inquiry file, the findings of this Board are as under.

FINDINGS-

CCL 'A' is a juvenile

14. As far as the age of CCL 'A' is concerned, as per the Birth Certificate present on the enquiry file, date of birth CCL 'A' is mentioned as 03.07.2008. The incident took place of 01.11.2024, making CCL "A" 16 years 03 months 29 days on the date of occurrence. Thus, CCL 'A' is correctly under inquiry before the Juvenile Justice Board, Panipat.

INVOLVEMENT OF CCL 'A'

15. The prosecution case rests primarily on the testimony of PW-8 Rohit, Injured/Complainant. appeared and deposed the Similar contents mentioned in his complaint Ex.PW8/A and fully corroborated the version of prosecution. Additionally stated that during attack, the attackers were

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muffled facts, however, the face of one boy was opened and when he asked why he is giving beatings to him, he do not depose anything and gave beating him and threatened him to kill and his family. He identified the CCL present before the Board, who caused beatings to him alongwith other attackers. During Investigating Proceedings, Mobiles Phone belonging to Complainant was got recovered from Major accused which Complainant identified the same to be of his own and received his Mobile Phone on Superdari. He identified the CCL present before the Board. In his cross-examination, he stated that he stated that he moved the Complaint on 16.12.2024 and same was written by him. He stated that the incident is of 01.11.2024. Again stated that the incident is of 02.11.2024. He stated that he visited once in Police Station since 02.11.2024 to 16.11.2024. He stated that Police disclosed to him that his Mobile Phones were kept on tracking. He stated that Police got recovered his both Mobile Phones on 04.01.2025 again stated that on 05.01.2025. He stated that CCL Ankit whose name was told to him in Police Station, he saw him at the spot who at the time of causing injuries to him, removed the cloth from his face and he was identified by him and thereafter, CCL Ankit was seen and identified by him in the Police Station. He stated that no recovery whatsoever has been effected from CCL. He stated that out of snatched money, Rs. 4,000/-came in his share and he spend the said amount on his meal. There is no material contradiction

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brought out in the cross-examination, which discredit his presence or the core allegation that the assault was done by CCL 'A'.

16. It is pertinent to mention that the identity of the CCL is clearly established by reliable evidence, conviction can be sustained if there are minor discrepancies in the prosecution case. ***'The Apex Court has time and again held that when the identity of the CCL is firmly established by trustworthy evidence, minor inconsistencies or omissions do not affect the prosecution case and the credible testimony identifying the CCL is sufficient for Conviction despite minor contradictions'.***

17. Apart from this, it may also be mentioned that the CCL 'A' failed to produce any defence evidence in support of the plea that he has been falsely involved in this case. Defence has also led no evidence to either explain presence of CCL in the same area where the incident occurred, nor as to why he was in the company of other associates who are facing trial in Court. No explanation had been furnished by him during the course of recording his statement under Section 351 of BNSS. On perusal of this statement, it is revealed that in response to all the questions put to him, he is shown to have given simple answers like "it was incorrect" and "he was falsely implicated and witnesses had deposed falsely". Neither any defence evidence has been led by the accused nor any explanation has been put forth for his false implication. It is well settled proposition of law that though the

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statement under Section 351 of BNSS cannot be the sole basis for conviction of an accused but certainly, it can be relevant circumstance in the Board to examine particularly when prosecution has otherwise been able to establish the chain of evidence. The accused has a duty to furnish explanation in his statement under Section Section 351 of BNSS. regarding any incriminating material that has been produced against him. Reliance in this regard can be placed upon ***Munish Mubar Vs State of Haryana AIR 2013 SC 912*** wherein Hon'ble Apex Court had observed so. Reliance can further be placed upon ***Dharnidhar Vs State of Uttar Pradesh and others (2010) 7 SCC 759*** wherein Hon'ble Apex court observed that proper methodology to be adopted by the Board while recording statement of accused under Section Section 351 of BNSS. is to invite his attention to the circumstances and substantial evidence in relation to the offence for which he has been charge-sheeted and invite his explanation. In other words, it provides an opportunity to accused to state before Board as to what is truth and what is his defence in accordance with law. It is for the accused to avail that opportunity and if he fails to do so, then it is for the court to examine the prosecution case on its evidence with regard to the statement made by the accused under Section 351 of BNSS. Applying this proposition of law to the facts of the present case, it may be stated that in reply to the question put to him under Section 351 of BNSS, accused had given simple denial of the incriminating evidence

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appearing against him without furnishing any explanation and, therefore, certainly an adverse inference is to be drawn against him.

18. In fact, the disclosure statement Ex.PW-1/D of CCL 'A' highlights, involvement of the CCL 'A' in the commission of alleged offence, so recovered during the investigation. In the present case, the statement in disclosure is a relevant and admissible circumstance, as the same was not otherwise within the knowledge of the investigating agency. It may be mentioned that Section 27 of the Indian Evidence Act is a proviso to Sections 25 and 26, according to which when any new or distinct fact is discovered in consequence of information received from a person accused of any offence, in the custody of a police officer, then so much of that information as relates distinctly to the facts thereby discovered, may be proved in evidence and is admissible. The recovered objects are consistent with the medical opinion indicating injuries caused by sharp-edged force trauma, thereby lending corroboration to the prosecution case. This discovery, directly attributable to the information furnished by the CCL 'A', establishes a clear nexus between the CCL and the weapon of offence, and consequently reinforces the inference of his active participation in the occurrence. It is well settled now that the expression "fact discovered" includes not only the physical object produced but also the place from where it was produced and the knowledge of the accused as to it. In this context, I

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quote with profit the observations made by Hon'ble Apex Court in ***Mohamed Inayatulla Vs State of Maharashtra (1976) 1 SCC 828***. Here, it may also be mentioned that the case of the prosecution with regard to suffering disclosure statement by the CCL 'A' rested upon statement of official witnesses, who were witnesses to the recovery. Learned counsel for the CCL 'A' put forth an argument to the effect that since no independent witness was joined during investigation by these witnesses to prove the disclosure statement and the recovery proceedings as well as spot identification, as such, their statements were doubtful and secondly they were also not admissible in evidence as these witnesses had failed to link the accused with the subject crime.

19. However, in my opinion, there is no force in these pleas. Defence failed to show any enmity of the CCL 'A' with the police to justify his false involvement and this fact has forced this Board to accept the evidence of police witnesses, who fully corroborated the prosecution version with regard to recovery knife on their face value without seeking any corroboration from independent witnesses, especially when there is no law that independent witnesses must be joined during such recovery proceedings. Needless to say that it is well recognized principle that *prima facie*, public servants must be presumed to act conscientiously and their evidence has to be assessed on its intrinsic worth and could not be discarded merely on the

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ground of their status and further on the ground that they are interested in the success of their cases. It is well settled that it is a fallacious impression that when recovery is effected pursuant to any statement made by the accused, the document prepared by the investigating officer contemporaneous with such recovery must necessarily be attested by independent witnesses. In ***State (Govt. of NCT of Delhi) Vs. Sunil 2001 Supreme Court Cases (Criminal) 248***, the Hon'ble Apex Court observed that if any disclosure statement leads to recovery of any article, it is open to the investigating officer to take the signatures of any person present at the spot on the document prepared for such recovery but if no witness was present or if no person had agreed to affix his signatures on the document, then it is difficult to lay down as a position of law that the document so prepared by the police officer must be treated as tainted and the recovery evidence unreliable. The Board has to consider the evidence of the investigating officer who deposed to the fact of recovery based on the statement elicited from the CCL 'A' on its own worth. So far as the evidentiary value of the disclosure statement leading to recovery of an incriminating article is concerned, the Hon'ble Apex Court in authority cited as ***Antar Singh Vs. State of Rajasthan 2004(10) SCC 657*** laid down the following legal principles to decide the relevancy of disclosure statement and consequent recoveries:-

(1) *The fact of which evidence is sought to be given must be*

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relevant to the issue. It must be borne in mind that the provision has nothing to do with question of relevancy. The relevancy of the fact discovered must be established according to the prescriptions relating to relevancy of other evidence connecting it with the crime in order to make the fact discovered admissible.

- (2) The fact must have been discovered.*
- (3) The discovery must have been in consequence of some information received from the accused and not by accused's own act.*
- (4) The persons giving the information must be accused of any offence.*
- (5) He must be in the custody of a police officer.*
- (6) The discovery of a fact in consequence of information received from an accused in custody must be deposed to.*
- (7) Thereupon only that portion of the information which relates distinctly or strictly to the fact.*

20. It is true that certain minor discrepancies have emerged in the testimonies of the prosecution witnesses; however, the same are trivial in nature and do not go to the root of the matter. The overall tenor of the evidence remains consistent and inspires confidence, and such minor contradictions are liable to be disregarded. Thus, the cumulative effect of (i) the presence of CCL at the place of occurrence. These circumstances are incompatible with the innocence of the CCL and unerringly point towards the involvement of CCL in

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the commission of the offence.

21. As a sequel to the foregoing discussion, and in view of the cogent and consistent chain of circumstantial evidence brought on record, this Board is of the considered opinion that the prosecution has successfully established all the essential ingredients required to prove the offence of murder and the involvement of CCL 'A' in the offence. The said circumstances, when appreciated cumulatively, are wholly inconsistent with any hypothesis of innocence and leave no reasonable ground for doubt that CCL 'A' inflicted the fatal injury upon the injured. **Accordingly, CCL 'A' is held to be involved in the commission of the offence punishable under Sections 310(2) of BNS.**

Let, the prosecution as well as the Child in Conflict with Law be heard on the question of order of disposition.

**(Puneet Limbha),
Principal Magistrate,
Juvenile Justice Board,
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**Ashok Kumar
Member, Juvenile Justice Board**

**Ashima Kaushik
Member, Juvenile Justice Board.**

**(Puneet Limbha),
Principal Magistrate,
Juvenile Justice Board,
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Sangeeta, S.G.II

**(Puneet Limbha)
PM, JJB, Panipat,
UID No. HR0398.
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Present: Shri Raman Chaudhary, APP for the State.
CCL AXXX in person represented by Ms. Poonam,
Advocate.

**ON THE POINT AS TO WHAT ORDER CAN BE PASSED UNDER
SECTION 18 OF JUVENILE JUSTICE (CARE & PROTECTION
OF CHILDREN) ACT, 2015.**

ORDER

This order is in continuation of the above-said Dispositional Order for hearing CCL on the point as to what order can be passed against him under Section 18 of Juvenile Justice (Care & Protection of Children) Act, 2015.

2. CCL has submitted that due to involvement in bad company, he had committed the said mistake and he shall not repeat the same mistake again. Leniency is prayed for and it has been requested that he may be given chance to Reform.

3. Ms. Poonam, Advocate for CCL due to involvement in bad company, CCL had committed the said mistake, however, now his nature has been improved and prayed for giving benefit of probation so that the behaviour of CCL can be corrected and Reformed.

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4. This Board has heard CCL at length and proper counselling of CCL has been done by the Board. The family background and antecedents of CCL has been verified by the Members of the Board from Social Investigation Reports as well as Legal cum probation officer etc. It is made out from all facts and circumstances of the case that at the time of commission of offences as alleged the CCL was under the age of 18 years and due to tender age, at that time he could not understand the consequences of the Act and wants never intended to harm anyone.

5. After having heard the learned APP for the State and learned defence counsel on the point as to what order can be passed against him under Section 18(1) of Juvenile Justice (Care & Protection of Children) Act, 2015, (hereinafter referred to as 'JJ Act') provides that if the Board after the inquiry is satisfied that a child irrespective of age has committed a petty offence or serious offence or a child around the age of 14-16 years has committed heinous offence then notwithstanding anything contrary contained in any other law for the time being in force, and based on the nature of the offence, specific need for supervision or intervention, circumstances as brought out in SIR and past conduct of the child, the Board may pass any order as provided in section 18.

6. We have decided the question of disposition of the CCL in

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question. The perusal of SIR reveals that he is not suffering from any addiction and that the act was done due to tender age and could not understand the consequences of the act and CCL undertakes to be careful in future. There is nothing on the record to suggest that CCL would not turn into a responsible citizen of the society. He is facing the enquiry for over 1 year 4 Months . Further, during his stay in the protective custody, he has not found in any bad company or has not been involved in any similar occurrence. His conduct during the entire inquiry found satisfactory and needs reformation. It is clear from the perusal of the enquiry file that CCL is less than **18 years**.

7. Further, this Board is of the considered opinion that the ends of justice would be met, if CCL Ankit is hereby directed to do community service for a period from **Four months i.e. 1st of August, 2026 till 30th of November, 2026 in General Hospital, Jind/Safidon from 9:00 A.M to 5:00 P.M (except Sunday)**. Accordingly, CCL Ankit shall carry out the community service at **General Hospital, Safidon for Three months**. Accordingly, CCL Ankit is ordered to report to **C.M.O, General Hospital, Safidon, from 1st of August 2026 till 30th November, 2026 from 9:00 A.M to 5:00 P.M** for doing the community service i.e. to serve the humanity/elderly persons. **The C.M.O, General Hospital, Jind/Safidon** is directed to mark his attendance regularly and to submit the report regarding

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the performance of community service by **CCL Ankit** properly on fortnightly basis to this Board. ***Separate letter be sent to C.M.O, General Hospital, Safidon, regarding this and directed to send the Monthly Report from CMO, General Hospital, Safidon/Jind for his involvement in the Reformation.*** It is also made clear to CCL that if there shall be any complaint against him during this period, then the **C.M.O, General Hospital, Safidon/Jind**, then he shall be further dealt with in accordance with the Juvenile Justice (Care and Protection) of Children Act, 2015.

8. The Programme Officer, ICDS, Panipat is directed to arrange individual counselling of the CCL. Case property, if any, be disposed of as per rules after expiry of period of appeal or revision. The guardians of CCL is directed to furnish the personal bonds in the sum of Rs.50,000/- for assuring the presence of child-in-conflict with law for appearing at General hospital, Panipat to do community service and training w.e.f **01.08.2026 to 30.11.2026**. Requisite bonds furnished, accepted and attested.

9. It is further ordered that CCL shall not suffer any disqualification on account of the inquiry faced by him under the provisions of this act and the relevant record of the present inquiry shall be removed after the expiry of period of appeal or revision as per rules and after the receipt of the reports of the **C.M.O, General Hospital, Safidon**. Copy of the Dispositonal Order as well as copy of Order supplied to CCL free of costs.

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File be consigned to record-room after due compliance.

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Principal Magistrate,
Juvenile Justice Board,
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**Ashok Kumar
Member, Juvenile Justice Board**

**Ashima Kaushik
Member, Juvenile Justice Board.**

Note: *All pages of this Order have been dictated, checked and signed by me.*

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Principal Magistrate,
Juvenile Justice Board,
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Sangeeta, S.G.II

**(Puneet Limbha)
PM, JJB, Panipat,
UID No. HR0398.
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Present: Shri Raman Chaudhary, APP for the State.
CCL AXXX in person represented by Ms. Poonam, Advocate.

No defence evidence is present and same was closed by CCL/
learned Counsel for Counsel for CCL vide his separately recorded
statement.

Arguments heard. Dispositional Order pronounced. Vide my
separate order of even date, CCL is held involved in the commission of
offence under Section 310(2) BNS. Let, he be heard after sometime on the
point as to what order can be passed against the child-in-conflict with law
under Section 18 of the Juvenile Justice (Care and Protection of Children)
Act, 2015 **after lunch break.**

**(Puneet Limbha),
Principal Magistrate,
Juvenile Justice Board,
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**(Puneet Limbha)
PM, JJB, Panipat,
UID No. HR0398.
29.07.2026.**

Present: Shri Raman Chaudhary, APP for the State.
CCL AXXX in person represented by Ms. Poonam, Advocate.

Inquiry file taken up in pursuance of Dispositional Order dated 08.07.2026. Heard on point of passing of order in view of Section 18 of Juvenile Justice (Care & Protection of Children) Act, 2015.

Vide my separate detailed order of even date, CCL AXXX is hereby directed to do community service for a period from **Four months** i.e. **1st of August, 2026 till 30th of November, 2026 in General Hospital, Jind/Safidon (except Sunday) from 9:00 A.M to 5:00 P.M.** Accordingly, **CCL Ankit** shall carry out the community service at **General Hospital, Safidon for Four months.** Accordingly, CCL Ankit is ordered to report to **C.M.O, General Hospital, Safidon, from 1st August, 2026 till 30th November, 2026** for doing the community service i.e. to serve the humanity/elderly persons. **The C.M.O, General Hospital, Jind/Safidon** is directed to mark his attendance regularly and to submit the report regarding the performance of community service by **CCL Ankit** properly on fortnightly basis to this Board. ***Separate letter be sent to C.M.O, General Hospital, Safidon, regarding this and directed to send the Monthly Report from CMO, General Hospital, Safidon/Jind for his involvement in the Reformation.*** It is also made clear to CCL that if there shall be any complaint against him during this period, then the C.M.O, General

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Hospital, Safidon/Jind, then he shall be further dealt with in accordance with the Juvenile Justice (Care and Protection) of Children Act, 2015.

The Programme Officer, ICDS, Panipat is directed to arrange individual counselling of the CCL. Case property, if any, be disposed of as per rules after expiry of period of appeal or revision. The guardians of CCL is directed to furnish the personal bonds in the sum of Rs.30,000/- for assuring the presence of child-in-conflict with law for appearing at General hospital, Panipat to do community service and training w.e.f **01.08.2026 to 30.11.2026.** Requisite bonds furnished, accepted and attested.

It is further ordered that CCL shall not suffer any disqualification on account of the inquiry faced by him under the provisions of this act and the relevant record of the present inquiry shall be removed after the expiry of period of appeal or revision as per rules and after the receipt of the reports of the **S.M.O/C.M.O, General Hospital, Safidon/Jind.** Copy of the Dispositonal Order as well as copy of Order supplied to CCL free of costs. File be consigned to record-room after due compliance.

**(Puneet Limbha),
Principal Magistrate,
Juvenile Justice Board,
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Case FIR No. 349 dated 16.12.2024.

Under Section: 310(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.

Police Station: Matlauda, Panipat.

From

Puneet Limbha
Principal Magistrate,
Juvenile Justice Board,
Panipat.

To

**The C.M.O./S.M.O
General Hospital, Safidon/
Jind.**

Subject : Community service in Civil/General Hospital, Safidon/Jind.

Memo :-

CCL Ankit son of Maishar, resident of Khera Khemawati,

Safidon, District Jind, is ordered to do the community service i.e. for serving the humanity/elderly persons **at General Hospital, Safidon** w.e.f. **1st of August, 2026 till 30th of November, 2026 in General Hospital, Safidon, District Jind from 9:00 A.M to 5:00 P.M(except Sunday).**

You are directed to mark his attendance regularly and to submit a report to the undersigned on fortnightly basis qua his presence and behaviour while doing Community Service. You are also directed to take care that no publicity is given and the name of the CCL Ankit is not disclosed to any person or institution for publication etc.

Pronounced in open Board.

***(Puneet Limbha),
Principal Magistrate,
Juvenile Justice Board,
Panipat 29.07.2026.
UID Code: HR0398.***

***Note: If CCL wants to
Work on sunday then leave
may be granted of another
day in lieu of the same.***

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HRPP030012812024



Presented on : 30-01-2024
Registered on : 30-01-2024
Decided on : 06-04-2026
Duration : 2 years, 2
months, 7 days

State

Versus

GXXX (name and
parentage withheld to
protect identity).

..Child-in-conflict with law.

Case FIR No. 1531 dated
03.11.2023.
Under Section: 302 of
Indian Penal Code, 1860
and Section 25 of
Arms Act.
Police Station: City,
Panipat.

HELD INVOLVED

CCL Gautam is hereby held involved in the commission of offence punishable u/s 302 IPC & 25 of Arms Act. CCL Gautam is hereby directed to do community service for a period from **six months i.e. 16th of April, 2026 till 15th of October, 2026 (for Two Hours i.e. 3:00 P.M to 5:00 P.M) in General Hospital, Panipat (except Sunday).** Accordingly, CCL Gautam shall carry out the community service at General Hospital, Panipat (for Two Hours i.e. 3:00 P.M to 5:00 P.M) for Six months. Accordingly, CCL Gautam is ordered to report to C.M.O, General Hospital, Panipat, from 15th April, 2026 till 15th October, 2026 for doing the community service i.e. to serve the humanity/elderly persons. **The C.M.O, General Hospital, Panipat is directed to mark his attendance regularly and to submit the report regarding the performance of community service by CCL Gautam properly on fortnightly basis to this Board. Separate letter be sent to C.M.O, General Hospital, Panipat, regarding this and directed to send the Monthly Report from CMO, General Hospital, Panipat for his involvement in the Reformation. It is also made clear to CCL that if there shall be any complaint against him during this period, then the C.M.O, General Hospital, Panipat, then he shall be further dealt with in accordance with the Juvenile Justice (Care and Protection) of Children Act, 2015.**

The Programme Officer, ICDS, Panipat is directed to arrange individual counselling of the CCL. Case property, if any, be disposed of as per rules after expiry of period of appeal or revision. The guardians of CCL is directed to furnish the personal bonds in the sum of Rs.50,000/- for assuring the presence of child-in-conflict with law for appearing at General hospital, Panipat to do community service and training w.e.f **15.04.2026 to 15.10.2026.** Requisite bonds furnished, accepted and attested.

It is further ordered that CCL shall not suffer any disqualification on account of the inquiry faced by him under the provisions of this act and the relevant record of the present inquiry shall be removed after the expiry of period of appeal or revision as per rules and after the receipt of the reports of the **C.M.O, General Hospital, Panipat.** Copy of the Dispositional Order as well as copy of Order supplied to CCL free of costs. File be consigned to record-room after due compliance

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