

BA-1056 of 2019 Rajbeer Singh Vs. State of Punjab

Present:- Mr. Parvinder Singh Advocate for the applicant
Mr. H.S. Rakkar Addl.P.P. for the respondent-State

Mr. H.S. Rakkar Addl.P.P. put in appearance on behalf of the respondent-State.

Heard. The applicant has sought anticipatory bail in case F.I.R.No. 23 dated 6.2.2019 registered against unknown persons under Section 379/411 of IPC at Police Station Kharar. It is alleged that the applicant has been falsely implicated in case F.I.R. No.80 dated 11.4.2019 under Section 379/411 of IPC, Police Station Kharar and in that case the age of the applicant was not disclosed. Later the learned Magistrate granted him bail by declaring him juvenile. The applicant is juvenile in the present case also so he be granted anticipatory bail.

A copy of F.I.R. has been placed on record showing that the applicant has been arrested in this case F.I.R. No. 23 dated 6.2.2019 registered against unknown persons under Section 379/411 of IPC at Police Station Kharar wherein theft of one motorcycle alleged to have taken place.

Earlier an F.I.R. No.80 dated 11.4.2019 under Section 379/411 of IPC was registered against the applicant wherein he was arrested. During enquiry, he was found to be juvenile and was released on bail.

The present case has been registered against the applicant prior to F.I.R. No.80 of 2019. When he has already been declared as juvenile in the case registered against the applicant after the present F.I.R., therefore, in this case he is also presumed to be juvenile and his application is also required to dealt with accordingly.

In these circumstances, applicant is directed to join the investigation within 10 days with the concerned SHO/IO and in the event of his arrest, he should be released on interim bail on his furnishing bail bonds in the sum of Rs.20000/- with one surety in view of the provisions of Juvenile Justice Board Act and compliance report be awaited till 16.5.2019.

Dated:-2.05.2019

(Sanjay Agnihotri)
ASJ/Mohali