



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

137

CRA-S-3733-2025(O&M)

Date of decision: 24.03.2026

Child in conflict with the Law namely N

...Appellant

VERSUS

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Neeraj Sansaniwal and Ms. Preeti Thakur, Advocates
for the appellant.

Mr. Paras Talwar, Sr. DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant appeal has been filed against the order dated 17.10.2025 passed by the Additional Sessions Judge, Bhiwani, wherein the regular bail application under Section 12 of the Juvenile Justice Act, 2000 for grant of regular bail was dismissed.

2. The FIR in the present case has been registered on the complaint of Praveen Kumar son of Ramesh, resident of Premnagar which reads as under:

"...I am doing Agriculture work. We are three brothers. Eldest is Sunil aged 30 years, younger than him Pawan aged 27 years and I Parveen aged 27 years. My brother Pawan is doing job with ZEE Litera School as Driver cum Guard. His duty was affixed now during night time as Guard. Yesterday on dated 27.02.2023 Pawan had proceeded from home at around 2.00 hrs after getting ready. Thereafter as per daily routine at around 8.00 hrs I talked with Pawan regarding delivering food then Pawan told that today no food is required to be brought. I had conversation with Pawan from my mobile Number 8708907684 to his mobile Number 8930925925. Thereafter today on dated 28.02.2023 in the morning at 8.30 hrs. I received a phone call from my cousin brother Naresh S/o Kuldeep who asked me to call Raju alias Raj Kumar owner of Hotel Tigdana Turn. Then I called Raju alias



Rajkumar, owner of the Hotel Tigdana who in turn told me that dead body of my brother Pawan (To whom Raju owner of Hotel already knew) is lying at Tigdana turn. Upon getting this information I reached the spot and saw that at Bhiwani Hansi Road near Tigdana turn towards South on the unpaved way in between barbed wires body of my brother was lying. Lot of blood had oozed out from his head. And there were injury marks upon both the ears, upon mouth upper lips. My brother had been killed by unknown person by nurturing grudge.”

3. Learned counsel appearing on behalf of the appellant contends that the appellant was aged about 17 and half years at the time of the incident. He further contends that the appellant became acquainted with the deceased only 10-15 days prior to the incident and allegedly took a loan of Rs.10,000/- from the deceased to bear the expenses incurred on his sports activities. The motive attributed is that instead of returning the said money, the appellant is stated to have killed the deceased. He further contends that the same is highly improbable. It is also contended that the only evidence collected by the respondent is a blood-stained brick which was recovered from the spot and there is no eye-witness to the incident in question. Further, there is nothing on record to prove previous enmity of the appellant with the deceased. It is submitted that there are 25 witnesses cited by the prosecution out of which only 02 witnesses have been examined so far and that further proceedings before the Trial Court had been stayed by the High Court, consequent upon CRM-M-60394-2023 having been filed by the complainant before this Court. He further contends that the appellant has no criminal antecedents and he is a sportsperson and that as per the mandate of the Juvenile Justice (Care and Protection of Children) Act, 2015, the appellant is entitled to the concession of grant of bail. He further contends that the appellant is in custody since 03.03.2023 and has already undergone an actual custody of more than 03 years and in such



circumstances, there is a possibility of the appellant being exposed to known criminals or there being a threat to his life.

4. Learned State Counsel contends that the appellant has been nominated as an accused on the basis of the last seen evidence as reflected in the CCTV footage installed at Hotel Waheguru which is adjacent to the place of occurrence. It is further contended that the motive has been established against the appellant and a bloodstained brick has also been recovered from the place of occurrence. The period of custody of the appellant, his clean antecedents as well as the stage of trial are however not disputed.

5. I have heard learned counsel appearing on behalf of the respective parties and have gone through the documents appended along with the present appeal as well as the arguments noticed above.

6. Taking into consideration the aforesaid facts and circumstances and noticing the period of custody already undergone by the appellant which is more than 03 years, the fact that only 02 out of 25 witnesses have been examined so far coupled with the fact that further proceedings before the Trial Court has been stayed by this Court in CRM-M-60394-2023 and thus the conclusion of trial shall take long and further bearing in mind the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 (without prejudice to the final outcome of the pending CRM-M-60394-2023), I deem it appropriate to allow the present appeal.

7. The instant appeal is *allowed* and the appellant is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.



8. It is made clear that the appellant shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

10. Pending application(s), if any, shall stand disposed of.

24.03.2026

(VINOD S. BHARDWAJ)

Sumit Gusain

JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No