



244

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

CRR-2690-2024

Date of Decision: 21.02.2025

**ABHYKARAN SINGH @ ABHI**

....Petitioner(s)

**VERSUS****STATE OF PUNJAB**

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Ashish Grover, Advocate  
for the petitioner.

Mr. Jasdeep Singh, DAG, Punjab.

\*\*\*\*

**SANJAY VASHISTH, J. (Oral)**

1. The instant petition has been filed by the petitioner/juvenile, for grant of regular bail, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

<b>Name of Petitioner(s)</b>	<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
<b>Abhykaran Singh @ Abhi</b>	<b>102</b>	<b>19.10.2024</b>	<b>109, 304, 331(6), 118(1), 3(5) of BNS (Section 109 BNS enhanced to Section 103 BNS added later on)</b>	<b>Sangat</b>	<b>Bathinda</b>

2. It is stated that petitioner was of the age of 11/12 years at the time of incident and his bail application has been dismissed vide order



dated 30.10.2022 passed by learned Juvenile Justice Board, Bathinda by noticing as under:-

*“From the perusal of police record it is clear that the victim to whom injuries were allegedly caused by applicant/juvenile alongwith his associate has died due to said injuries. So from the police record, it is evident that the offences allegedly committed by juvenile Abhykaran Singh @ Abhi are heinous in nature. He alongwith his associate is alleged to have murdered the complainant by causing injuries to him in a barbaric manner. Moreover, as per Social Investigation report, father and mother of applicant are illiterate and are labourers. It is also mentioned in Social Investigation Report that juvenile is under the influence of bad company of Bikka. Further as per Social Background report, applicant/juvenile is addicted to smoking and drugs. Thus in such circumstances and in view of the fact that there is no educated person in the family of applicant/juvenile to guide him and he also under the influence of his company and he is also addicted to smoking and drugs, so there is strong apprehension that juvenile will be exposed to moral, physical or psychological danger if released on bail and he will definitely come in contact of bad company as there is no educated person in his family to guide and support him and to pay proper attention to him. Thus there is strong apprehension of unsafety of juvenile in the outside society and he will be exposed to moral, physical or psychological danger if released on bail. Considering the facts and discussion as referred above, the present bail application filed on behalf of applicant/juvenile Abhykaran Singh @ Abhi is ordered to be dismissed. Papers be attached with the main file/FIR. Police record is returned.”*

3. In the appeal filed by Juvenile/CCL Abhykaran Singh @ Abhi, Court of learned Addl. Sessions Judge, considered the social investigation report submitted by District Child Protection Officer and noticed a fact that father of juvenile has died on 01.11.2024 in road accident, therefore, observes that petitioner may fall under peer group influence.

**CRR-2690-2024****3**

4. Co-accused Bika is also working near the house of juvenile at a rented shop where petitioner used to have usual visits and thereupon the appeal was also dismissed.

5. On the previous date of hearing, counsel for the petitioner had argued that order passed in appeal is based on noticing of wrong facts that father of petitioner had died in road accident on 01.11.2024. In fact, his father namely Jagseer Singh @ Manga is still alive and, therefore, it would be his responsibility to look after the child and to prevent him from getting exposure with unwarranted elements in the society.

6. Upon this, learned State counsel was granted time to verify the said fact.

7. Today, learned DAG Punjab, after confirming the said fact (regarding death of father of the petitioner) states that statement of petitioner's counsel is correct, as father of the petitioner is still alive.

8. In view of the aforementioned facts and circumstances, order dated 28.11.2024 impugned in the present revision petition is hereby held to be perverse i.e. against the true facts and, therefore, same is set aside by directing the appellate Court to re-decide the appeal by confirming the facts in entirety.

9. Let the appeal be re-decided within one week from today, in accordance with law.

10. The present petition stands **disposed of**.

Copy of this order be forwarded to learned District and Session Judge, Bathinda/ concerned Court for information and necessary compliance.

**(SANJAY VASHISTH)**  
**JUDGE**

**February 21, 2025**

Sangeeta

Whether reasoned/speaking:  
Whether reportable:

Yes/No  
Yes/No