

Hon'ble Alok Singh, J.

Mr. Sarvesh Agarwal, Advocate for the petitioner.

Mr. S.S. Adhikari, Brief Holder for the State of Uttarakhand / respondent no. 1.

Learned counsel for the petitioner submits that petitioner was not arrested during investigation and now, charge-sheet has been filed against the petitioner for the offence punishable under Section 23 of the Juvenile Justice (Care and Protection of Children) Act whereupon learned Special/ Session Judge has taken cognizance. He further submits that petitioner shall appear/surrender before the learned Special / Session Judge on or before 15.02.2015 and shall move application seeking regular bail, which should be decided sympathetically, if possible, on the same day and if for any reason, bail application is posted for future hearing, petitioner should be enlarged on interim bail, on his furnish a personal bond for the period till the final decision is taken on the regular bail application. He further contends that petitioner shall raise all the legal and factual points at the time of framing of charge, seeking discharge.

Present petition, thus, stands disposed of with the direction that petitioner shall appear/ surrender before the learned Special / Session Judge on or before 15.02.2015. In the event of moving bail application by the petitioner, the same shall be decided sympathetically, if possible, on the same day. If for any reason, bail application is posted for future hearing, petitioner shall be enlarged on interim bail, on furnishing his personal bond to the satisfaction of Special Judge, for the period till the final decision is taken on the regular bail application.

Let a copy of this order be forwarded to the learned Special / Session Judge, Nainital for information and compliance.

I.A. No. 546 of 2015 also stands disposed of accordingly.

(Alok Singh, J.)
Vacation Judge
30.01.2015

