

Brijesh Kumari Vs. State

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Court : Delhi

Decided On : Apr-13-1999

Reported in : 1999(49)DRJ601

Judge : N.G. Nandi, J.

Acts : [Juvenile Justice Act, 1986](#) - Sections 18

Appeal No. : Crl.M. (M) No. 1086/99

Appellant : Brijesh Kumari

Respondent : State

Advocate for Pet/Ap. : R.P. Kathuria and; Kailash Golani, Advs

Judgement :

N.G. Nandi, J.

1. Heard. It is submitted by learned counsel for the petitioner that the petitioner is a young girl aged 17 years and happened to be sister-in-law (sister of the husband).

2. According to the FIR, petitioner/accused is alleged to have committed offences under Sections 307/498A/34 IPC converted into Sections 304B/498A/34 IPC. In the submission of Mr. Butalia, learned App, offence allegedly committed is under Section 302 IPC.

3. Having regard to the facts and circumstances and also that the petitioner is a girl aged about 17 years and in view of the decisions reported in 1991 Cri. L.J. 1052, and in view of the provisions contained in Section 18 of the [Juvenile Justice Act, 1986](#) and proviso to Sub-section (1) of Section 437 Cr. P.C. I am inclined to exercise the discretion in favor of the petitioner.

4. On the petitioner/accused furnishing a surety for the amount of Rs. 10,000/- and a personal bond in the like sum to the satisfaction of the trial court. She is ordered to be released on bail on condition that she will not misuse the grant of bail in any manner nor will she leave the limits of NCT of Delhi without the prior permission of the trial court.

5. Whenever the application for grant in of bail to a juvenile comes up before the Sessions Court, the same shall also be considered in light of the provisions contained in Section 18 of The [Juvenile Justice Act, 1986](#).

6. Application disposed of.