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CRR-1704-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND SINGH BAHRAWAT

ON THE 25th OF MAY, 2026CRIMINAL REVISION No. 1704 of 2026

*CHILD IN CONFLICT WITH LAW V THROUGH HIS GUARDIAN
FATHER R*

*Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Alok Kumar Sharma - Advocate for the applicant.

Shri Dilip Awasthi - Public Prosecutor for the State.

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ORDER

1. The criminal revision petition has been filed by the applicant under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short "the Act") against the judgment dated 09.04.2026 passed by the learned 4th Additional Sessions Judge, District Guna (M.P.) in Criminal Appeal No. 59/2026, whereby the order dated 02.04.2026 passed by the Juvenile Justice Board, District Guna has been affirmed, thereby rejecting the application under Section 12 of the Act, moved on behalf of the revisionist in connection with offences under Sections 103(1), 109(1), 191(2), 190, 296(B), 115(2), 118(1) of the Bharatiya Nyaya Sanhita, registered at Crime No. 181/2026, at Police Station Cantt, District Guna (M.P.).

2 . Learned counsel for the applicant/juvenile submits that the applicant is innocent and has been falsely implicated in the present case. It is



submitted that the applicant is a juvenile and is in custody since 01.04.2026. Learned counsel further submits that the learned Juvenile Justice Board as well as the appellate Court have rejected the bail application primarily on the ground of seriousness of the alleged offence without recording any specific material to demonstrate that the release of the juvenile would bring him into association with known criminals or expose him to moral, physical or psychological danger or that her release would defeat the ends of justice. It is submitted that the provisions of **Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015** mandate release of a juvenile on bail unless the case falls within the statutory exceptions. Therefore, in absence of any specific material attracting the exceptions provided under Section 12 of the Act, the continued detention of the juvenile is not justified and the impugned orders passed by the Courts below deserve to be set aside.

3 . On the other hand, learned counsel appearing for the State opposed the criminal revision and supported the impugned orders passed by the learned Juvenile Justice Board as well as the appellate Court. It is further submitted that considering the gravity of the offence and the manner in which the incident has taken place, the Courts below have rightly rejected the bail application of the juvenile. It is also submitted that if the juvenile is released on bail, her release may defeat the ends of justice. Therefore, it is prayed that the present criminal revision filed by the applicant deserves to be dismissed.

4. I have carefully considered the submissions made by learned counsel for the applicant, learned State counsel and have perused the



material available on record.

5. Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 reads as under:

"12. Bail to a person who is apparently a child alleged to be in conflict with law.-

(1) When any person, who is apparently a child and is alleged to have committed a bailable or non-bailable offence, is apprehended or detained by the police or appears or brought before a Board, such person shall, notwithstanding anything contained in the Code of Criminal Procedure, 1973 or in any other law for the time being in force, be released on bail with or without surety or placed under the supervision of a probation officer or under the care of any fit person:

Provided that such person shall not be so released if there appears reasonable grounds for believing that the release is likely to bring that person into association with any known criminal or expose the said person to moral, physical or psychological danger or the person's release would defeat the ends of justice, and the Board shall record the reasons for denying the bail and circumstances that led to such a decision."

6. This Court has also perused the report submitted by the Probation Officer, which forms part of the record. The said report indicates that the possibility of improvement in the conduct of the child in conflict with law under proper care and family supervision cannot be ruled out.

7. Taking into consideration the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court is of the view that the applicant is a juvenile and except the gravity of the alleged offence, there is no specific material available on record to demonstrate that the release of the juvenile would bring her into association with known criminals or expose her to moral, physical or psychological danger or that her release would defeat the ends of justice. Therefore, this Court does not find any exceptional circumstance to decline bail to the



juvenile applicant.

8 . In view of the aforesaid, this revision is allowed, and the order dated 09.04.2026 passed by the learned Fourth Additional Sessions Judge, Guna (M.P.) in Criminal Appeal No. 59/2026 and the order dated 02.04.2026 passed by the Juvenile Justice Board, District Guna are hereby set aside.

9. It is ordered that the juvenile applicant shall be handed over to the custody of her natural guardian (father) on furnishing a personal bond by her father in the sum of Rs.50,000/- (**Rupees Fifty Thousand only**) along with one solvent surety to the satisfaction of the Juvenile Justice Board/Court concerned, subject to the following conditions:

(1) The revisionist/juvenile will cooperate in the investigation/trial, as the case may be;

(2) The revisionist/juvenile will not indulge himself/herself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Police Officer, as the case may be;

(3) The revisionist/juvenile shall not commit an offence similar to the offence of which he is accused.

(4) The revisionist/juvenile will not seek unnecessary adjournments during the trial.

(5) During the bail period, the applicant/juvenile shall remain under the supervision and control of her father, and the juvenile's father shall be responsible for her maintenance, well-being and overall activities.

(6) **Father of the juvenile** shall give an undertaking that upon the



juvenile's release on bail, the juvenile will not be permitted to come into contact or association with any known criminal or be exposed to any moral, physical, or psychological danger, and further that she will ensure that the juvenile does not repeat the offence.

(7) Juvenile will report to the Probation Officer on the every last date of the calendar month and Probation Officer will keep a strict vigil on the activities of the juvenile and regularly draw up her social investigation report that would be submitted to the J.J. Board, on such a periodical basis as the Juvenile Justice Board may need it.

(8) **Father of the juvenile** shall also ensure the appearance of the juvenile before the Juvenile Justice Board on all the dates fixed by it till the final disposal of the case pending before it.

10. This criminal revision is **allowed** accordingly.

Certified copy of this order be sent to the Juvenile Justice Board/Court concerned for information and compliance.

Certified copy as per rules.

(ANAND SINGH BAHRAWAT)
V. JUDGE