

IN THE COURT OF CIVIL JUDGE & JUDICIAL MAGISTRATE-1, TANDO ALLAHYAR
(Before: Muhammad Hashim Notkani)

FIR No. 03/2021

U/Section: 381-A PPC PPC

P. S B-Section, TDR

ORDER U/S 167 Cr. P. C.

Received an application U/S 167 Cr.P.C thorough SIP Muhammad Idrees Lund of same Police Station, wherein prayer was made for Police Remand of accused persons namely S/O [REDACTED] and S/O [REDACTED]

On enquiry accused persons did not complaint of maltreatment or any physical torture. The I.O stated that the stolen property has been recovered from the possession of accused and he further prayed for police custody remand for interrogation, for the CRO as well as for conducting COVID-19 screen test of accused persons as well.

I have perused the record as well as the contention of I.O. while considering the prayer of I.O, the one day Police Custody Remand of accused namely S/O [REDACTED] is granted with direction to produce him before this court on 16.01.2020 without fail.

Besides, from the physical appearance of accused S/O [REDACTED] it is observed that he is of minor age and on enquiry he deposed that he is of 12 years age. Meanwhile, The Mother of accused produced the copy of birth certificate/B-Form of present accused, issued by NADRA, wherein the age of present accused is written as 14.03.2008 (12.10) for which the *section 6 (3) of Juvenile Justice System Act, 2018 clearly says, "Where a juvenile is arrested or detained for commission of a minor or a major offences for the purposes of this Act, he shall be treated as if he was accused of commission of a bailable offence".*

Keeping in view the age of accused [REDACTED] it is now confirmed that he is of minor age and the offence U/S 381-A is treated as bailable one in the light of **section 6 (3) of Juvenile Justice System Act, 2018** and he is granted bail with subject to furnish P.R Bond of Rs. 30,000/-, with direction to be handed over to his real mother. The I.O is directed to release the accused S/O [REDACTED] if he is not required in any other criminal case.

Order Accordingly.

Given Under My Hand & Seal of the Court on this 15th of January 2021.

(Muhammad Hashim Notkani)
Civil Judge & Judicial Magistrate-1,
Tando Allahyar

OFFICE OF THE CIVIL JUDGE & JUDICIAL MAGISTRATE-1, TANDO ALLAHYAR

NO. CJ&JM-1/ DAR /2021
Dated, the 15th of January 2021

- 1) Copy is forwarded to Honorable District & Session Judge, Tando Allahyar for kind information.
- 2) Copy is sent to SSP Tando Allahyar for guiding SHOs/SIPs regarding the SOPs for juvenile accused after his arrest in criminal cases.
- 3) Copy is given to concerned SHO/I.O for compliance.
- 4) Copy is sent to All members of Juvenile Justice Committee.

(Muhammad Hashim Notkani)
Civil Judge & Judicial Magistrate-1,
Tando Allahyar