

HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

MAIN CASE No.CrI.A.No.819 of 2019

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
11.	08.04.2026	<p><u>KSR,J & AHHS,J</u> <i>(per Hon'ble Sri Justice K.Suresh Reddy)</i></p> <p style="text-align: center;"><u>I.A.No.02 of 2025</u></p> <p>The present application is filed by the petitioner / appellant under section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 r/w Section 9 (2) of the Juvenile Justice (Care and Protection of Children) Act, 2015, seeking to declare the petitioner / appellant as a juvenile in conflict with law.</p> <p>On 15.12.2025 when this interlocutory application is listed for hearing, this Court passed orders directing the concerned Juvenile Justice Board to cause inquiry whether the petitioner / appellant is a Juvenile as on the date of offence or not and submit the report before this Court.</p> <p>Pursuant to the said order, the Juvenile Justice Board conducted inquiry and submitted its report dated 23.03.2026 through the concerned Principal District Judge. In the inquiry report, the Juvenile Justice Board held as follows:</p> <p>“I have the honour to further submit that the Inspector of Police, Piduguralla recorded the statement of the father of the petitioner / appellant who deposed in his statement that he has two daughters and two sons. The petitioner / appellant was 3rd child to him. The 1st one was born in the year 1992, 2nd one was born in the year 1994, and</p>	Contd.,

08.04.2026	<p>the 3rd one, who is the petitioner was born in the year 1997 and the last one was born in the year 1999. Therefore, the claim of the petitioner that his date of birth in the year 2001 is factually improbable and inconsistent with official government records.”</p> <p>Further in the inquiry report, the Juvenile Justice Board has stated the date of birth of the petitioner was entered as 06.06.1999 in M.P.Ps (BRGC) School, Piduguralla as 12.07.2001 and the date of birth mentioned in the Aadhar card is shown as 1997 and the date of birth mentioned in PAN card was 01.01.1999 as such there is a lot of inconsistency with regard to the date of birth of the petitioner. Ultimately, the fact remains that the date of birth of the petitioner was shown as 06.06.1999 in the Primary School records. Further the statement of the father of the petitioner also shows that he was not born in 2001 and his last issue was in the year 1999. As such, the Juvenile Justice Board has finally opined that the petitioner /appellant is not a juvenile as on the date of offence.</p> <p>Further as per the provisions of the Section 94 (3) of the Juvenile Justice (Care and Protection of Children) Act, 2015:</p> <p>“ the age recorded by the Committee or the Board to be the age of the person so brought before it shall, for the purpose of this Act, be deemed to be the true age of the person.”</p> <p>In view of the above report, we are not inclined to declare the petitioner as juvenile.</p>	Contd.,
------------	--	---------

