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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 132/2025**

NASEEM

.....Petitioner

Through: Mr. Shahid Ali, Mr. Mohd. Salman,  
Mr. Nazar Hussain and Mr. Sameer  
Tayyebi, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the  
State with SI Neha

**CORAM:**

**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**

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**07.07.2026**

**CRL.M.A. 1631/2026 (exemption)**

1. Allowed, subject to all just exceptions.

**CRL.M.A. 1637/2026 (delay of 4 days in re-filing CRL.M.A. 1630/2026)**

2. For the reasons mentioned therein, the application is allowed and the delay in re-filing the CRL.M.A is condoned.

**CRL.REV.P. 132/2025 & CRL.M.A. 10621/2025 (stay) & CRL.M.A. 1630/2026 (modification of order dated 07.04.2025)**

3. This matter has been listed by the Registry in compliance with the directions issued by the Hon'ble Supreme Court in the case titled Vijay Kumar & Ors. vs State of Rajasthan, SLP (CRL) 773/2026 since proceedings before the trial court in the present case were stayed by the predecessor bench vide order dated 01.05.2025.

4. Basically, the question involved in this petition is of juvenility of the alleged accused. There are 03 documents pertaining to this. The first school



certificate shows the date of birth of the revisionist as 16.12.1995; the second school certificate also shows the date of birth of the revisionist as 16.12.1995; and the ossification test finds the age of the revisionist as 18-21 years. The question involved is, as to whether in view of clear report of first school regarding date of birth of the revisionist, the court would accept the result of ossification report, adding 2 years benefit to the revisionist.

5. So far as the second school certificate is concerned, that does not inspire confidence because according to the same, the revisionist and his two siblings were born in the year 1995 itself, which is not possible as none of the three is a twin.

6. On these aspects, both sides shall examine the legal position in detail and address on 01.08.2026 in Advance List. Date of 18.08.2026 stands cancelled. In the meanwhile, the interim order shall continue till next date.

7. The digitized record of the trial court be requisitioned.

**GIRISH KATHPALIA, J**

**JULY 7, 2026**

**‘rs’**