

GAHC010096652023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

I.A.(Crl.)/116/2018

NAWAS SARIF
S/O- MD. ALIMUDDIN
R/O- IRONG KHUNAO
P.S. LILONG
DIST- THOUBAL
MANIPUR

VERSUS

UNION OF INDIA
REP. BY NCB

Advocate for : MS. S K NARGIS
Advocate for : SC
NCB appearing for UNION OF INDIA

IN

Crl.A./405/2017

NAWAS SARIF
S/O MD. ALIMUDDIN
R/O IRONG KHUNAO
P.S. LILONG
DIST. THOUBAL
MANIPUR

VERSUS

UNION OF INDIA
REPRESENTED BY NCB

Advocate for : MS.N DAS
Advocate for : SC
NCB appearing for UNION OF INDIA

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

07-06-2023

(Michael Zothankhuma, J)

Mr. A. Ahmed appeared on behalf of Ms. S.K. Nargis, learned counsel for the applicant and prayed for adjournment.

2. Mr. S.C. Keyal, learned Standing Counsel, NCB submits that the learned Additional Sessions Judge No. 1, Kamrup, Guwahati has not completed the enquiry, to determine the age of the applicant till date, despite the order dated 27.03.2023. He submits that the said determination has not been completed by the leaned Sessions Court, as he has come to learn that the applicant is delaying the matter and not co-operating with the learned Sessions Court.

3. On perusal of the various orders passed by this Court, we find that this Court in its order dated 18.02.2021, had directed the learned Additional

Sessions Judge No. 1, Kamrup, Guwahati to conduct an enquiry to determine the age of the applicant/appellant as per Rule 12 of the Juvenile Justice (Care and Protection of Children) Rules, 2007 in terms of an earlier order dated 05.04.2018. In the order dated 27.03.2023, another months time had been provided to the Court of the learned Additional Sessions Judge No. 1, Kamrup, Guwahati, to complete the enquiry to determine the age of the applicant/appellant in terms of the earlier order dated 18.02.2021. However, no enquiry report has been submitted by the Court of the learned Additional Sessions Judge No. 1, Kamrup, Guwahati till date and this has also been reflected in the office note dated 25.05.2023.

4. In view of the above, Registry is directed to furnish a copy of this order to the Additional Sessions Judge, to ensure that the learned Additional Sessions Judge No. 1, Kamrup, Guwahati completes the enquiry to determine the age of the applicant/appellant in terms of Rule 12 of the Juvenile Justice (Care and Protection of Children) Rules, 2007 on or before 18.07.2023.

5. In the event, the Court of the learned Additional Sessions Judge No. 1 Kamrup, Guwahati is not able to complete/conduct the enquiry, the said Judge shall submit reasons for the same in writing, on or before 18.07.2023.

6. List the matter on 18.07.2023.

JUDGE

JUDGE

Comparing Assistant