

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST ORDER PASSED BY
SUBORDINATE COURT) NO. 1797 of 2025**

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DWIGUN MUKUNDBHAI PATEL
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR JIGNESH B SHAH(5217) for the Applicant(s) No. 1
MR RJ GOSWAMI(1102) for the Applicant(s) No. 1
PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE R. T. VACHHANI**Date : 25/09/2025****ORAL ORDER**

Heard the learned advocate for the petitioner. After arguing the matter, learned advocate has submitted that on several aspect the accused was considered as juvenile, however the trial thereof is to be tried as an adult considering offence in question of heinous nature. The learned advocate relying upon the law laid down by the Hon'ble Apex Court in the case of Shilpa Mittal vs. State (NCT of Delhi) and another, reported in (2020) 2 SCC 787, the relevant portion has been referred to by the learned Juvenile Court, pertaining to the offence prescribing minimum sentence or more than 7 years but not providing any minimum sentence or providing minimum sentence of less than 7 years imprisonment, held, as not covered by Section 2(33) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

Considering the above, issue notice to the respondent

returnable on 27.11.2025. Learned APP waives service of notice on behalf for the State.

Interim relief in terms of para 14(C) is granted.

(R. T. VACHHANI, J)

NITIN MAKWANA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NITIN INDRAVADAN MAKWANA(HCW0110), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 03/10/2025 14:24:57