HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1098 of 1989

Tipu Kushwaha

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)	:	Vimlendu, Vimlendu Tripathi (A.C.)
Counsel for Respondent(s)	:	A.G.A.

Court No. - 42

HON'BLE SIDDHARTHA VARMA, J.
HON'BLE PRASHANT MISHRA-I, J.

1. The report viz-a-viz living status of sole appellant was sought on 06.02.2026 but no report has been submitted till date.

2. List on 10.04.2026.

3. By the next date, C.J.M. Gorakhpur shall positively send the aforesaid report.

4. From the record, we also find that the appellant, at the time when he gave statement under Section 313 Cr.P.C. on 22.04.1989, had stated that his age is 18 years. The incident was of 29.01.1988.

5. As and when the appellant is traced out, he be issued a notice to appear before the Juvenile Justice Board which would determine the age of the appellant.

6. For coming to a decision as to whether the appellant was juvenile at the time of incident, the statement of appellant recorded under Section 313 Cr.P.C. be sent to Juvenile Justice Board.

7. For the hard work of learned Amicus Curiae, Sri Vimlendu Tripathi, a sum of Rs. 5,000/- shall be paid to him, at this stage.

(Prashant Mishra-I,J.) **(Siddhartha Varma,J.)**

March 17, 2026
A. Mandhani

Digitally signed by :-
ABHISHEK MANDHANI
High Court of Judicature at Allahabad