

Court No. - 42

Case :- CRIMINAL APPEAL No. - 1902 of 1985

Appellant :- Ramesh And Others

Respondent :- State of U.P.

Counsel for Appellant :- Ali Hasan, Ashok Kumar

Maurya, Chandra Shekhar Rai, Istiyaq Ali, Manoj Kumar Rai, Vinod Kumar Singh Kushwaha

Counsel for Respondent :- Indrajeet Kumar Shukla, Pradeep Kumar Tiwari, R.D. Singh, Shiv Babu Dubey

Hon'ble Vivek Kumar Birla, J.

Hon'ble Jitendra Kumar Sinha, J.

1. Heard Mr. Ali Hasan, Mr. Vinod Kumar Singh Kushwaha, and Mr. Abhay Kumar Yadav, learned Advocate, holding brief of Mr. Ashok Kumar Maurya, learned counsels for the appellants, learned A.G.A. for the State-respondents and perused the material brought on the record.

2. The appeal stood dismissed as abated in respect of the appellant Nos.2, 3, 6, 8, 9, 10 and 11 vide an order dated 14.12.2020 passed by a Division Bench of this Court.

3. It is submitted by Mr. Ali Hasan, learned counsel for the appellant no.5- Gupteshwar that as per High School certificate his date of birth was 1.2.1966, therefore, on the date of incident i.e. 20.6.1982 he was aged about 16 years, 4 months and 19 days and therefore, he was below 18 years of age and he was juvenile on the date of incident and is liable to be declared juvenile as such. Attention was drawn to paragraph 5 of the affidavit filed in support of application no.8 of 2021 dated 27.1.2021 annexed as Annexure No.1.

4. Office is directed to remit the application to the District Judge concerned for submitting its report.

5. Office is also directed to call for current living status report of the other co-accused persons from the lower Court through an electronic mode.

6. List this matter on 19.8.2025.

Order Date :- 17.7.2025

Sachin