



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2833 of 1984

Yousuf

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)	:	Ashwani Kumar Ojha, Dharm Pal Singh
Counsel for Respondent(s)	:	A.G.A

Court No. - 76

HON'BLE SANJAY KUMAR PACHORI, J.

Criminal Misc. Application No. 2 of 2025.

Heard Sri Ashwani Kumar Ojha, learned counsel for the sole appellant and Sri Ashwani Kumar Rai, learned AGA for the State.

Despite service of notice upon the first informant, none has appeared on his behalf.

The present application has been filed to declare the present sole appellant as a juvenile stating that the alleged incident was taken place on 22.08.1981 and that at the time of incident the appellant was 15 years, 2 months and 3 days old.

In support of the application, the appellant has filed a marksheet of the High School examination, 1991, indicating his date of birth as 25.06.1966.

Learned AGA accepts the contention of the present appellant has verified the date of birth the present applicant, and has filed a compliance affidavit in this regard.

It is further submitted that, as per provision of Sections 2(k), 2 (l), 20 and 49 of the Juvenile Justice Act of 2000 read with Rules 12 and 98 of the Juvenile Justice (Care and Protection of Children) Rules, 2007), all persons who were below the age of 18 years on the date of the commission of offence, even prior to 1st April, 2001 would be treated as juveniles, even if the claim of the juvenility is raised after they have attained the age of 18 years on or

before the date of commencement of the Juvenile Justice Act, 2000.

Learned counsel for the applicant has placed reliance upon the judgment of the Hon'ble Supreme Court in Case of **Hansraj Vs State of U.P. 2025 SCC OnLine SC 2193, and Ramji Prasad Jaiswal @Ramji Prasad Jaiswal and Others Vs. State of Bihar, [2025] 6 SCR, 582.**

In view of the above facts and circumstances, the present application is liable to be allowed.

Application is allowed and the appellant is declared as juvenile at the time of commission of offence.

Order on appeal

List this case on **19.05.2026.**

(Sanjay Kumar Pachori,J.)

April 29, 2026
Neetu