

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s).1877/2013

SOMDEV @ SONU

APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH

RESPONDENT(S)

Date : 09-01-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) Mr. John Mathew, AOR

For Respondent(s) Ms. Srishti Singh, AOR
Mr. Rishabh Gautham, Adv.
Mr. Ajay Kumar Prajapati, Adv.Upon hearing the counsel the Court made the following
O R D E R

1. Learned counsel for the appellant claims that on the date of the alleged incident of crime, i.e., 24.01.1991, he was a little in excess of 17 years of age. Relying on the document at page no.165 (Annexure P-2) of the paper book of the appeal, the claim of juvenility is raised for the first time before this Court.
2. Having regard to the decision of the coordinate Bench of this Court in *Rahul Kumar Yadav vs. State of Bihar*¹, we direct the District and Sessions Judge, Badaun, Uttar Pradesh², to conduct a thorough enquiry to determine the age/date of birth of the appellant in accordance with the procedure envisaged in the Juvenile Justice (Care and Protection of Children) Act, 2015³ and the rules framed thereunder within a period of three months from today.
3. The appellant shall be at liberty to produce relevant documentary

¹ 2024 SCC OnLine SC 723

² Sessions Judge

³ the Act

evidence as required by Section 94 of the Act before the Sessions Judge. The Sessions Judge shall also be at liberty to hear the representative of the respondent - State of Uttar Pradesh and any other party and receive relevant evidence either in support of or in contradiction to the claim of juvenility raised by the appellant before him. A report of enquiry shall be placed before us immediately after the conclusion of the aforesaid three months.

4. Re-list the appeal immediately after the report of the Sessions Judge is received in the Registry.

(D. NAVEEN)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)