ITEM NO.1 COURT NO.3 SECTION II

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

CRLMP.NO. 7188/2014 in Petition(s) for Special Leave to Appeal (Crl) No(s).2287/2005
(From the judgement and order dated 24/11/2004 in CRLR No.22/2003,CRLA No.5892/2003 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

SATENDRA Petitioner(s)

VERSUS

STATE OF U.P. Respondent(s)
(With appln(s) for permission and office report)

Date: 21/04/2014 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. Raj Singh Rana,Adv. (NP)

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The convict has filed an application under Section 7 A of the Juvenile Justice (Care and Protection of Children) Act, 2000 (for short ''the Act'). In the application, the convict/applicant claims that, on the date of the incident, he was a 'juvenile/minor'. It is also pleaded by him in the application that he had asked his counsel, who had represented both before the Trial Court as well as before the High Court, to raise that issue and, according to him, the said issue was not raised for the reasons best known to the learned counsel appearing for him. Therefore, he has made this application, inter alia, requesting us to conduct an inquiry into his claim, i.e. that he was a 'jevenile' on the date of the incident.

In order to verify the veracity of the claim made by the applicant, in our view, we have to take recourse to the provisions of Rule 12 of the Juvenile Justice (Care and Protection of children) Rules, 2007 wherein he had stated that an appropriate inquiry requires to be made by the learned District Judge and submit his report before this Court.

In view of the above, we now request the learned District Judge, Etah, Uttar Pradesh to hold an appropriate inquiry after issuing notice to the convict and other authorities under the Act and submit his report as early as possible before this Court.

The Registry of this Court is directed to send a copy of the application filed by the applicant along with its enclosures to the learned District Judge for appropriate action.

List the matter after receipt of the report from the District Judge.

Ordered accordingly.

(G.V.Ramana)
Court Master

(Suneet Mahajan)
Court Master