

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

RECORD OF PROCEEDINGS

CrI.M.P. No.2899/2003 in and

Petition(s) for Special Leave to Appeal (CrI.)...../2003

(CrI.M.P. No.2899/2003)

(From the judgement and order dated 21/11/2002 in CRLR No.1800/2001

of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

BALWAN SINGH

Petitioner(s)

VERSUS

STATE OF HARYANA & ANR.

Respondent(s)

(For permission to file SLP and office report)

With Writ Petition (CrI.) No.59 of 2003

(With office report)

Date: 08/08/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner(s)

Mr. B.S. Malik,Sr.Adv.

Ms. Santosh Singh,Adv.

For Respondent(s)

Mr. Manjit Singh,Adv.

Mr. T.V. George,Adv.

UPON hearing counsel the Court made the following

O R D E R

S.L.P. (Crl.) No. /2005 (Crl.M.P. No.2899/2003):

Permission to file the special leave petition is granted.

The question as to whether the date of offence or the date on which the accused is first produced before the court is the relevant date for the purposes of determining the accused as juvenile under the Juvenile Justice (Care and Protection of Children) Act, 2000, stand settled by a decision of

...2/-

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the Constitution Bench of this Court in the case of Pratap Singh vs. State of Jharkhand & Anr. (2005 (2) J.T. 271). In this view, we clarify that the court trying Respondent No.2 would make appropriate orders, having regard to the law laid down by this Court in Pratap Singh (supra) and the facts of the case before the court.

The special leave petition is, accordingly, disposed of.

Writ Petition (Crl.) No.59 of 2003:

In view of the orders passed in S.L.P. (Crl.) No._____/2005 (Crl.M.P. No.2899/2003), the learned counsel for the petitioner seeks leave to withdraw the writ petition. It is, accordingly, dismissed as withdrawn.

[T.I. Rajput]

Court Master

[V.P. Tyagi]

Court Master