

ITEM NO.4

COURT NO.8

SECTION II

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

CRLMP. 5033/2015 in Petition(s) for Special Leave to Appeal (Crl.)
No(s). 6057/2004

(Arising out of impugned final judgment and order dated 21/04/2003
in CRLA No. 1472/1997 passed by the High Court Of Judicature at
Allahabad)

JITENDRA CHAKWA & ORS.

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(for directions/juvenility and office report)

Date : 19/09/2016 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s)

Mr. Balraj Dewan, Adv. (AC)

For Respondent(s)

Mr. R.K. Dash, Sr. Adv.
Mr. Atif, Adv.
Mr. Abhishth Kumar, Adv.

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

The issue of juvenility of the accused-applicant
Ajit S/o Ranveer Singh, is raised in this application
under the provisions of Juvenile Justice (Care and
Protection of Children) Act, 2015, read with relevant
rules framed thereunder by producing School

Certificate/School Register and Transfer Certificate at Annexure A-1, genuineness of which is seriously disputed by Mr. R.K. Dash, learned senior counsel appearing for the State by placing reliance on the judgment passed by this Court in the case of Abuzar Hossain @ Gulam Hossain v. State of West Bengal, (2012) 10 SCC 489. Since the genuineness of the documents produced are required to be examined, we direct the learned Xth Additional Sessions Judge, Meerut, which has tried the case and rendered the judgment in the matter, to conduct inquiry as to the age of the accused-applicant and genuineness of the documents and submit a detailed report after affording reasonable opportunity to the accused-applicant as well as the State and taking into consideration the judgment of this Court referred to supra, upon which the reliance is placed by Mr. Dash, learned senior counsel appearing for the State. Parties are directed to appear before the learned Xth Additional Sessions Judge, Meerut on 7th November, 2016 for the purpose. The report of the learned Xth Additional Sessions Judge, Meerut shall be submitted within eight weeks from the date of first appearance of the parties before it.

Copy of this order shall be given to the accused-applicant's counsel to submit to the Xth Additional Sessions Judge, Meerut.

List immediately after the receipt of the report from the Xth Additional Sessions Judge, Meerut.

(VINOD KUMAR JHA)
AR-CUM-PS

(MALA KUMARI SHARMA)
COURT MASTER