

ITEM NO.29

COURT NO.17

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

Miscellaneous Application No. 1568/2026 in SLP(Crl) No. 5740/2017

MD ASURUDDIN ALIAS ASURUDDIN ALI

Petitioner(s)/
Applicant(s)

VERSUS

THE STATE OF ASSAM

Respondent(s)

IA No. 70457/2026 - CLARIFICATION/DIRECTION, IA No. 144517/2026 -
EXEMPTION FROM FILING PAPER BOOKS

Date : 15-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. Mahfooz A. Nazki, Adv.
/Applicant(s) Mr. Ejaz Maqbool, AOR
Mr. Zain Maqbool, Adv.
Mr. Meeran Maqbool, Adv.
Mr. Saif Zia, Adv.

For Respondent(s)

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

1. Heard Mr. Mahfooz A. Nazki, learned counsel for the applicant(s).
2. By the present Miscellaneous Application the applicant is setting up a plea of juvenility.
3. This is notwithstanding the fact that the conviction, and sentence imposed thereon have attained finality right up to this Court with the dismissal of the Special Leave Petition (SLP) first on 11.08.2017 in SLP(Crl.)No(s)5740/2017. Thereafter, learned counsel for the applicant(s) submits that

an application was moved before the High Court of Gauhati setting up the plea of juvenility on the ground that under the Juvenile Justice (Care and Protection of Children) Act, 2000 (for short, 'JJ Act') the plea of juvenility can be raised at any stage including after conclusion of proceedings.

4. Learned counsel for the applicant draws attention to page 94 of the paper book to contend that the application was not disposed of on merits by order of 18.12.2025 passed by High Court of Gauhati. It was ordered that the issue be raised before the Apex Court.

5. Against this order a Special Leave Petition came to be filed which was dismissed on 03.02.2026 (SLP(Crl.)No(s).1572-1573/2026).

6. Learned counsel for the applicant has now filed the present Miscellaneous Application in the original SLP namely SLP(Crl.)No(s).5740/2017.

7. We are of opinion that the present Miscellaneous Application should be heard by the same Bench which disposed of SLP(Crl.)No(s).1572-1573/2026 subject to the orders of Hon'ble the Chief Justice of India.

8. Let the papers of the Miscellaneous Application be placed before Hon'ble the Chief Justice of India for appropriate orders.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)