

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

Petition(s) for Special Leave to Appeal (Crl) No(s).8510/2013

(From the judgement and order dated 28/03/2007 in CRA No.3813/2005, of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

RAJAN @ RANJAN

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(With appln(s) under section 15,7A and Section 16 of the Juvenile Justice
(Care & Protection of Children)m Act, 2000 and bail and office report)

WITH SLP(Crl) NO. 8511 of 2013

(With appln(s) under section 15,7A and Section 16 of the Juvenile Justice
(Care & Protection of Children)m Act, 2000 and bail and office report)

Date: 07/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. N.M. Popli, Adv.

For Respondent(s) Mr. Ratnakar Dash, Sr. Adv.
Mr. Abhishth Kumar, Adv.
Mr. Gaurav, Adv.

UPON hearing counsel the Court made the following

O R D E R

The petitioners claim that they were juvenile on the date of the incident. Therefore, they submit that the learned District & Sessions Judge as well as the High Court were not justified in convicting them for the offences punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860 and sentencing them for life imprisonment.

On 04.07.2013, we had directed the Principals of the Schools where the petitioners had studied to produce before us the records maintained by them, showing their admission in the

schools. Pursuant to the direction so issued by us they had appeared before us with the records.

We have looked into the records maintained by the Principals of the Schools where the petitioners had studied. We are prima facie of the opinion that the learned counsel for the petitioners may be justified in contending before us that the petitioners were juvenile at the time of the alleged incident.

However, in order to ascertain the correct age of the petitioners, the aforesaid aspect of the matter requires to be first enquired into by the learned District & Sessions Judge as envisaged under Rule 12 of the Juvenile Justice (Care & Protection of Children) Rules, 2007 and submit his report.

In view of the above, we now direct the learned District and Sessions Judge, Ghaziabad to make an appropriate enquiry as provided under the Juvenile Justice (Care & Protection of children) Act, 2000 and Rules and submit his report as expeditiously as possible at any rate within an outer limit of two months from today.

List thereafter.

| [Charanjeet Kaur] | [Vinod Kulvi] |
|Court Master | |Asstt. Registrar |