DITEM NO.33 COURT NO.6 SECTION II

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

Petition(s) for Special Leave to Appeal (Crl)... 2009
CRLMP.NO. 14000

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

RAJU Petitioner(s)

VERSUS

STATE OF U.P. Respondent(s)

(With appln. for c/delay in filing SLP and office report)

Date: 29/03/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s) Mr. Baban Kumar Sharma, Adv.
Ms. Chandan Ramamurthi,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

An additional affidavit has been filed on behalf of the petitioner along with a copy of the school leaving certificate issued by the Teacher In charge, Norther Railway Primary School No. II, Bhool Colony, Ghaziabad, which shows the date of birth of the petitioner as 16th June, 1980. According to the learned counsel for the petitioner since the incident took place on 29th September, 1997, at the relevant time the petitioner was a juvenile and, therefore, he should have been tried and sentenced as per the procedure prescribed in the Juvenile Justice (Care and Protection to Children) Act, 2000.

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Issue notice.

In the meanwhile, we would direct the Chief Judicial Magistrate, Ghaziabad to conduct an enquiry into the question of authenticity of the school leaving certificate filed by the petitioner. A copy of the school leaving certificate along with a copy of this order shall be forwarded to the Chief Judicial Magistrate for the said purpose. The Magistrate shall submit his report within four weeks of the receipt of copy of this order.

[Charanjeet Kaur] [Pushap Lata Bhardwaj]
Court Master Court Master