



ITEM NO.11

COURT NO.7

SECTION II-C

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 for Special Leave to Appeal (CrI.) No.6466/2026

[Arising out of impugned final judgment and order dated 15-12-2025 in CRR No. 89/2014 passed by the High Court of Himachal Pradesh at Shimla]

PRINCE @ SHANKY

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH

Respondent(s)

FOR ADMISSION

IA No. 86808/2026 - APPLICATION U/S 7-A [9(2) old] OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015, IA No. 86809/2026 - EXEMPTION FROM FILING O.T., IA No. 86801/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 15-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :Mr. Rajiv Talwar, Adv.
Mr. Pushkar Karni Sinha, AOR
Mr. Kushal Kumar Chauhan, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.
2. The appellant was put to trial in the Court of the Sessions Judge, Sirmour District at Nahan, State of Himachal Pradesh for the offence punishable under Sections 457, 380 read with 34 of the Indian Penal Code, 1860, respectively (for short, "the IPC").
3. At the end of the trial, he was held guilty of the offences enumerated above. The Trial Court sentenced the appellant to undergo rigorous imprisonment for a period of two years with fine of

Rs.500/- for the offence punishable under Section 457 of the IPC and one year rigorous imprisonment for the offence punishable under Section 380 of the IPC with fine of Rs.500/-.

4. Being dissatisfied with the judgment and order of conviction passed by the Trial Court, the appellant went in appeal before the Sessions Court. The Sessions Court while affirming the judgment and order of conviction thought fit to reduce the sentence from two years of rigorous imprisonment to one year of rigorous imprisonment.

5. The appellant thereafter went before the High Court by way of a criminal revision application. The High Court declined to interfere and rejected the revision petition accordingly.

6. In such circumstances, referred to above, the appellant is here before us with the present appeal.

7. We take notice of the fact that the incident in question is of the year 2007. The learned counsel appearing for the appellant would submit that at the relevant point of time, the appellant was a juvenile aged 17. The issue with regard to the appellant being a juvenile was not raised before the Trial Court, nor before the Sessions Court including the High Court. This issue is being raised for the first time before this Court. The submission to some extent is substantiated by some documentary evidence on record.

8. The law is well settled. The plea of being Juvenile can be raised at any point of time.

9. Be that as it may. This issue will be looked into by this Court at the time of final hearing of the main matter.

10. Having regard to the fact that the sentence is

for a fixed term, i.e., one year and the appellant is already undergoing sentence, we suspend the substantive order of sentence and order release of the appellant on bail subject to terms and conditions that the Trial Court may deem fit to impose.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)