

ITEM NO.2

COURT NO.4

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

CRL.M.P. Nos.10968 & 109689/2016 In  
Petition(s) for Special Leave to Appeal (Crl.) No.3706/2016

(Arising out of impugned final judgment and order dated 28/03/2007  
in CRLA No. 3502/2005 passed by the High Court of Judicature at  
Allahabad)

BOBBY @ RAJKUMAR LODGED IN CENTRAL JAIL AGRA                      Petitioner(s)

VERSUS

STATE OF U.P

Respondent(s)

(For juvenility u/s 9(2) of Juvenile Justice (Care and Protection  
of Children) Act 2015 and exemption from filing O.T. and office  
report)

Date : 06/09/2016 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s)      Mr. N.M. Popli, Adv.  
                                 Mr. Anurag, Adv.  
                                 Mrs. B. Sunita Rao, AOR

For Respondent(s)      Ms. Pragati Neekhara, Adv.  
                                 Mr. Utkarsh Sharma, Adv.

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

This Court on 16<sup>th</sup> August, 2016, had directed as  
follows:-

"Heard Mr. N.M. Popli, learned counsel for the  
petitioner. He has drawn our attention to page  
13, wherefrom it is evident that the Jailor,  
District Jail, Ghaziabad, has given the  
certificate pursuant to the Right to  
Information made by the petitioner.

In view of the aforesaid, we direct the Jailor, District Jail, Ghaziabad, to remain personally present on 6.9.2016. A copy of the order be handed over to Mr. Ravi Prakash Mehrotra, learned Standing Counsel for the State of Uttar Pradesh who shall intimate the concerned Jailor. Additionally, Registry of this Court is directed to intimate the jailor, District Jail, Ghaziabad so that he shall remain present along with the record pertaining to the petitioner.

Call on the date fixed."

In pursuance of the aforesaid order, Mr. Ram Siromani Yadav, Jailor, District Jail, Ghaziabad, is personally present. Learned counsel appearing for the State fairly submits that he has no authority to give any reply under the Right to Information Act, 2005, as regards the juvenile status, which is based on age, to a convict.

In view of the aforesaid, as advised at present, we are not inclined to entertain the present criminal miscellaneous petitions and the same are, accordingly, dismissed. Needless to say, the petitioner, if so desires, can file appropriate application as required in law.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master