

ITEM NO.3

COURT NO.3

SECTION II

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

Criminal Appeal No(s). 1589/2021

SUNIL & ORS.

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

IA No. 75060/2022 - APPLICATION U/S 7-A [9(2) old] OF JUVENILE
 JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

IA No. 103319/2022 - GRANT OF BAIL

IA No. 75055/2022 - GRANT OF BAIL

Date : 20-09-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
 HON'BLE MR. JUSTICE ABHAY S. OKA

For Appellant(s) Mr. Rishi Malhotra, AOR
 Mr. Jaydip Pati, Adv.

 Mr. Barun Kumar Sinha, Adv.
 Mrs. Pratibha Sinha, Adv.
 Mr. Mudit Kaul, Adv.
 Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Ratnakar Dash, Sr. Adv.
 Mr. Shashank Shekhar Singh, AOR

 Mr. Vikas Pahwa, Sr. Adv.
 Mr. Amit K., Adv.
 Mr. Rishi Sehgal, AOR
 Mr. Abishek Pati, Adv.
 Mr. Midhun Aggarwal, Adv.

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

IA No. 75060/2022 - APPLICATION U/S 7-A [9(2) old] OF
JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT,
2015

Learned counsel for the State himself disowns the

manner in which enquiry has been made by the concerned police authorities in respect of the plea of juvenillity of respondent No.2. On the conspectus of matter, we are of the view that the appropriate course of action would be to refer the matter to the Juvenile Justice Board to give its opinion in respect of the aspect of juvenility. The Board would also verify the name and identity of the appellants in view of there being a dispute as to how he was described in the earlier proceedings and what he claims now.

All the relevant material would be considered by the Juvenile Justice Board. The Board will endeavour to conclude the enquiry as early as possible.

The application is disposed of with the aforesaid directions.

List the matter after the report of juvenility is received from the Juvenile Justice Board.

IA No. 75055/2022 - GRANT OF BAIL

List along with the report of the Juvenile Justice Board.

IA No. 103319/2022 - GRANT OF BAIL

Issue notice.

Learned counsel for the respondent accepts notice.

Reply be filed within four weeks.

Rejoinder be filed within two weeks thereafter.

List on the next date.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)