

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.) No.11950/2024

(Arising out of impugned final judgment and order dated 24-05-2024 in CRA No.681/1984 passed by the High Court of Judicature at Allahabad)

ASHOK

Petitioner

VERSUS

THE STATE OF UTTAR PRADESH

Respondent

(with I.A. No.141671/2024 - EXEMPTION FROM FILING O.T.)

WITH

Diary No(s). 34191/2024 (II)

(with I.A. No.193723/2024-CONDONATION OF DELAY IN FILING, I.A. No.193714/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and I.A. No.193721/2024-GRANT OF BAIL and I.A. No.193717/2024-EXEMPTION FROM FILING O.T.)

Date : 06-09-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Ms. Resmitha R. Chandran, AOR
Mr. Varun Katiyar, Adv.
Mr. Akshansh Singh, Adv.
Ms. Ritika Sharma, Adv.
Ms. Qausar Khan, Adv.

Mr. Parinav Gupta, Adv.
Mr. Pardeep Gupta, Adv.
Mrs. Mansi Gupta, Adv.
Mr. Rakshit Rathi, Adv.
Dr. Mrs. Vipin Gupta, AOR

For Respondent(s)

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

Special Leave Petition (Crl.) No.11950/2024

1. Since a plea has been raised that the petitioner was a juvenile on the date of the crime, i.e., 02nd December, 1982, which is sought to be supported by reference to the age of the petitioner as recorded in course of his statement under Section 313 of the Code of the Criminal Procedure, 1973 (19 years as on 10th February, 1984), issue notice.
2. We request the District and Sessions Judge, Kanpur to conduct an inquiry in accordance with law to ascertain the age of the petitioner as on the date of the crime.
3. Learned counsel appearing for the petitioner also submits that his health condition is precarious and that he has instructions to submit that unless immediate medical care is extended, he may not survive.
4. In view of such submission, we request the Superintendent, District Jail, Fatehgarh, Uttar Pradesh to forthwith have the petitioner medically examined and a report on his physical condition be placed before this Court within ten days from date. Once the report is received, the Registry shall immediately re-list the special leave petition for the limited purpose of considering the prayer of the petitioner for being enlarged on bail on medical ground.
5. We clarify that the petitioner should be given medical treatment, if required, without waiting for any order of this Court.

Special Leave Petition (Crl.) Diary No(s). 34191/2024

1. Delay condoned.
2. Issue notice.

(RASHMI DHYANI PANT)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)