



CGHC010289862026



2026:CGHC:36205-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 971 of 2026

Xyz (Description Of The Applicant Mentioned In Closed Envelop)

... Applicant

versus

**1 - State Of Chhattisgarh Through- The Station House Officer, Tikrapara,
District- Raipur, C.G.**

**2 - Anurag Agrawal S/o Vijay Agrawal Aged About 36 Years R/o Rewatpura
Phase -2, Near Sai Mandir Ward,-60, Zone, -6, Police Station Tikrapara,
Raipur District Raipur C.G.**

... Respondents

(Cause-title taken from Case Information System)

For Applicant	:	Mr. Lokesh Garg, Advocate
For Respondent No.1/State	:	Mr. Ashish Shukla, Addl. A.G.
For Respondent No.2	:	Mr. Md. Ruhul Ameen Memon, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Order on Board

Per Ramesh Sinha, Chief Justice

14/08/2026

1. The present Criminal Revision is taken up for hearing along with CRMP No. 2166 of 2026 (Anurag Agrawal and others v. State of Chhattisgarh), CRMP No. 2150 of 2026 (Lokesh Garg v. State of Chhattisgarh and another) and CONTR No. 3 of 2026 (Office Reference v. Lokesh Garg).

Since all the cases are arising out of the FIR registered at Police Station Tikrapara, Raipur bearing Crime No. 10/2020 lodged by the complainant Anurag Agrawal and Crime No. 11/2020, lodged by the complainant Lokesh Garg, all the aforesaid petitions and contempt reference are being heard and decided together.

2. The applicant has filed the present criminal miscellaneous petition under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015, for the following reliefs:-

“It is, therefore, most respectfully prayed that this Hon’ble Court may graciously be pleased to:

1. Call for the Juvenile Justice Board record of criminal case No. 497/2021 pending before the Hon’ble Juvenile Justice Board, Raipur.

2. Allow this Revision Petition and set aside the impugned orders dated 05.06.2026 and 06.06.2026 passed by the Hon’ble Juvenile Justice Board Raipur in criminal case no. 497/2021 and impugned order dated 14.07.2026 passed by the Hon’ble ADJ (FTC) Raipur (C.G.) in criminal appeal no. 205/2026.

3. Direct the Hon’ble Juvenile Justice Board Raipur to amend its record from 506 –B (serious offence) to Section 506 (simple/petty offence) of IPC.

4. Discharge the applicant from proceedings of criminal case no. 497/2021 which comes under petty offences and further ongoing inquiry of the case are violation and abusing of process of law, natural justice, fundamental rights, provisions of JJ Act, 2015 kindly exercise this Hon’ble Court their

inherent / discretion power by terminating the proceedings of criminal case no. 497/2021 pending before the Juvenile Justice Board Raipur as about more than 4 years had passed due to inquiry of proceedings remains inconclusive according to section 14 of JJ Act, 2015 in the interest of justice.

5. Pass any other orders as this Hon'ble Court deems fit in the interest of Justice with suo –moto decision in favor of the Applicant.”

3. The present criminal revision has been preferred by the applicant, who was a child in conflict with law in connection with Criminal Case No.497/2021 pending before the Juvenile Justice Board, Mana Camp, Raipur, being aggrieved by the orders dated 05.06.2026 and 06.06.2026 passed by the Juvenile Justice Board, Raipur, whereby the application preferred by the applicant under Section 104(2) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short, “the JJ Act”) seeking correction of the entry made in the order-sheet dated 03.01.2024, as also the consequential proceedings, came to be rejected. The applicant thereafter preferred Criminal Appeal No.205/2026 under Section 101 of the JJ Act before the learned Additional Sessions Judge (Fast Track Court), Raipur, which was dismissed vide order dated 14.07.2026. The prosecution case, in brief, is that on 04.01.2020, while the complainant was engaged as a labourer for construction work, the applicant and his father allegedly abused him in filthy language and threatened him with an iron rod. On the basis of the report lodged at Police Station Tikrapara, Raipur, FIR No.10/2020 was registered and, after investigation, final report No.147-A/2020 was

submitted before the Juvenile Justice Board under Sections 294, 506 and 34 of the Indian Penal Code.

4. It is borne out from the record that on 14.09.2023 the Juvenile Justice Board had specifically recorded that the final report fell within the category of “petty offences” and directed that the case be proceeded with as a summons case. However, in the order-sheet dated 03.01.2024, the offence was subsequently recorded as “Section 506 Part-II IPC”. According to the applicant, the said entry was a clerical/typographical error and was contrary to the police final report as well as the earlier order dated 14.09.2023. On 05.06.2026, the applicant accordingly moved an application under Section 104(2) of the JJ Act seeking correction of the said entry. The application was rejected, principally on the ground of the lapse of approximately thirty months. On 06.06.2026, the Board proceeded further treating the matter as involving Section 506 Part-II IPC. The applicant challenged the aforesaid orders before the appellate Court, but the appeal was dismissed on 14.07.2026. It is further stated that the inquiry in the case has remained pending for several years, although the statute prescribes a specific time-frame for completion of inquiry in cases involving petty offences.
5. Learned counsel for the applicant would submit that the impugned orders are legally unsustainable, as the Juvenile Justice Board failed to appreciate the scope and express language of Section 104(2) of the JJ Act. It is contended that the applicant did not seek review or reconsideration of any adjudication on merits, but merely sought correction of an accidental and clerical entry in the order-sheet dated 03.01.2024. Learned counsel would submit that the police final report

was admittedly filed under Sections 294, 506 and 34 of the IPC and that, even prior to the disputed entry, the Board itself had recorded on 14.09.2023 that the case was one involving a petty offence and was to be tried as a summons case. Thus, according to learned counsel, the subsequent description of the offence as Section 506 Part-II IPC was plainly inconsistent with the record and could not have been treated as a conscious adjudication.

6. Learned counsel would further submit that the expression “at any time” occurring in Section 104(2) of the JJ Act is of considerable significance and there is no statutory period of limitation prescribed for correction of a clerical mistake or an error arising from an accidental slip or omission. It is submitted that the appellate Court erred in treating the disputed entry as a conscious judicial determination instead of examining the contemporaneous record. Learned counsel would also submit that the object and scheme of the JJ Act require a child-friendly, rehabilitative and non-stigmatising approach and that the applicant, who was a child at the relevant time, cannot be subjected to the consequences of a more serious offence merely because of an erroneous entry in an order-sheet.
7. Learned counsel would lastly submit that the inquiry has remained pending since 2021, despite the statutory scheme under Section 14 of the JJ Act requiring petty-offence inquiries to be completed within the prescribed period and providing for termination of proceedings where such inquiry remains inconclusive even after the permissible extension. It is therefore prayed that the impugned orders be set aside, the erroneous entry relating to Section 506 Part-II IPC be corrected, and the

proceedings be brought to an end in accordance with the mandate of the JJ Act.

8. Per contra, learned State counsel would oppose the revision and support the orders passed by the Juvenile Justice Board as well as the appellate Court. It would be submitted that the order-sheet dated 03.01.2024 was passed in the course of judicial proceedings and the subsequent application, having been filed after considerable lapse of time, cannot be permitted to be used as a device for reopening or altering a judicial determination. It would further be submitted that the nature of the offence and the correctness of the entry are matters which ought to be considered in accordance with the record of the proceedings and that the revisional jurisdiction of this Court should not be exercised merely because another view is possible.
9. Learned State counsel would further submit that the allegations made by the complainant disclose an offence relating to criminal intimidation and that the proceedings ought not to be terminated merely on technical considerations. It would accordingly be prayed that the revision petition be dismissed and the applicant be directed to face the proceedings before the Juvenile Justice Board in accordance with law.
10. Learned counsel appearing for respondent No.2/complainant would also oppose the revision petition. It would be submitted that the entry made in the order-sheet dated 03.01.2024 was not merely a ministerial correction but formed part of the judicial proceedings conducted by the Board. It would further be submitted that the allegations in the complaint and the material collected during investigation disclose the commission of an offence of criminal intimidation and, therefore, the proceedings should

not be terminated at this stage. Learned counsel would submit that the applicant has raised several disputed factual allegations concerning the alleged property dispute and CCTV footage, which cannot appropriately be adjudicated in the present revisional proceedings. It would therefore be prayed that the revision be dismissed and the proceedings before the Juvenile Justice Board be permitted to continue in accordance with law.

11. We have considered the rival submissions and perused the material available on record.
12. The controversy in the present revision, in our considered opinion, is required to be examined within the limited but significant question as to whether the entry of "Section 506 Part-II IPC" in the order-sheet dated 03.01.2024 could be corrected under Section 104(2) of the JJ Act. Section 104(2) expressly provides that "clerical mistakes in orders passed by the Committee or the Board or errors arising therein from any accidental slip or omission may, at any time, be corrected" either suo motu or on an application. The statutory language, therefore, makes two things clear: first, the power extends to clerical mistakes and accidental slips or omissions; and secondly, no period of limitation has been prescribed for exercise of such power.
13. The approach to be adopted while interpreting and applying the JJ Act is also well settled. In **Pratap Singh v. State of Jharkhand and Another**, (2005) 3 SCC 551, the Constitution Bench has observed in paragraph No.10 that:

"10. Thus, the whole object of the Act is to provide for the care, protection, treatment, development and

rehabilitation of neglected or delinquent juveniles. It is a beneficial legislation aimed at making available the benefit of the Act to the neglected or delinquent juveniles. It is settled law that the interpretation of the statute of beneficial legislation must be to advance the cause of legislation for the benefit of whom it is made and not to frustrate the intendment of the legislation.”

14. The aforesaid principle assumes particular significance in the present case because the consequence of treating the entry as a substantive determination would be to expose a child to a materially different and more onerous procedural regime on the basis of an entry which is inconsistent with the earlier record.
15. The Supreme Court has further emphasised in **Sampurna Behura v. Union of India and Others**, (2018) 4 SCC 433, that the Juvenile Justice legislation must be implemented in its true spirit and that the primary objective of the statutory scheme is the protection, rehabilitation and social reintegration of children in conflict with law. The Court underscored the need for a child-friendly approach in adjudication and disposition of matters concerning children.
16. The statutory scheme contained in Section 14 of the JJ Act also cannot be lost sight of. Section 14(2) requires the inquiry to be completed within four months from the date of first production of the child, subject to a reasoned extension for a maximum period of two further months. Section 14(4) further provides that where an inquiry concerning a petty offence remains inconclusive even after the extended period, the proceedings shall stand terminated. Section 14(5)(d) specifically

contemplates disposal of petty offences through summary proceedings. These provisions demonstrate that expedition is not merely a matter of administrative convenience but forms part of the legislative scheme governing juvenile justice.

17. In the present case, the final report was submitted before the Juvenile Justice Board on 22.09.2021 and, on 14.09.2023, the Board itself treated the matter as a petty offence. Yet the proceedings have continued for several years and, according to the material placed on record, the case was still pending for formation of crime details in July, 2026. Such prolonged pendency is plainly inconsistent with the legislative emphasis upon expeditious disposal of inquiries concerning children.
18. We are conscious that the Court, while exercising revisional jurisdiction, ordinarily does not undertake a roving examination of disputed questions of fact. However, no such exercise is necessary in the present case. The material necessary for determining the limited controversy is contained in the proceedings themselves. The final report, the order dated 14.09.2023 and the disputed entry dated 03.01.2024 constitute the relevant material. The correction sought by the applicant does not require appreciation of disputed evidence concerning the alleged occurrence or the rival property claims. Those aspects, therefore, need not be examined for deciding the present revision.
19. As regards the prayer for termination of proceedings, the statutory consequence under Section 14(4) of the JJ Act deserves consideration. Once the case is correctly treated as one involving a petty offence, the Board is bound to apply the procedure prescribed by Section 14. In view

of the admitted chronology emerging from the record and the prolonged pendency of the inquiry, continuation of the proceedings for an indefinite period would defeat the legislative mandate. The object of juvenile justice is not to perpetuate criminal proceedings against a child, but to ensure expeditious inquiry, rehabilitation and social reintegration.

20. We are, therefore, of the considered opinion that the entry dated 03.01.2024 describing the offence as Section 506 Part-II IPC, when considered in the light of the final report and the earlier order dated 14.09.2023, constitutes an error arising from an accidental slip or omission within the meaning of Section 104(2) of the JJ Act. The Juvenile Justice Board ought to have corrected the same. The learned appellate Court also erred in affirming the refusal to exercise such statutory power.
21. Consequently, the present criminal revision deserves to be and is hereby **allowed**. The order dated 14.07.2026 passed by the learned Additional Sessions Judge (Fast Track Court), Raipur, in Criminal Appeal No.205/2026 and the orders dated 05.06.2026 and 06.06.2026 passed by the Juvenile Justice Board, Mana Camp, Raipur, in Criminal Case No.497/2021 are hereby **set aside** and the applicant stands discharged from all the offences.

Sd/-
(Ravindra Kumar Agrawal)
 Judge

Sd/-
(Ramesh Sinha)
 Chief Justice

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