

**103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR No.3498 of 2015

Date of Decision: February 04, 2016

Ritu

.... Petitioner

vs.

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sandeep Singh, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision is the judgment dated 04.08.2015 passed by learned Addl. Sessions Judge-I, Rohtak, whereby the order dated 22.04.2015 passed by learned Addl. Chief Judicial Magistrate, Rohtak was set aside and Rohit @ Shaktiman-respondent No.2 was declared as juvenile in conflict with law.

I have heard learned counsel for the petitioner and have also gone through the case file.

A perusal of the order passed by learned Addl. Sessions Judge, Rohtak shows that he has relied upon the Secondary School Examination Certificate of the petitioner issued by Central Board of Education to declare that Rohit @ Shaktiman was below 18 years of age at the time of commission of crime. Learned Addl. Sessions Judge, Rohtak has also referred to Sub Rule (3) or Rule 12 of the Juvenile Justice Act, 2000, wherein the documents to be considered for the purpose of determining the age are mentioned. Matriculation or equivalent certificate is one of those documents. The same was referred by the learned Addl. Sessions Judge, Rohtak.

Learned Addl. Chief Judicial Magistrate, Rohtak had declined to treat the petitioner as a juvenile on the ground that in the previous case, he disclosed his age to be 17 years on 19.04.2012.

I find that this is no ground to calculate the age of a juvenile offender. Therefore, there is no illegality or perversity in the impugned judgment.

Accordingly, the present revision petition stands dismissed.

February 04, 2016
sarita

(KULDIP SINGH)
JUDGE