

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

**Criminal Revision No.4477 of 2016 (O&M)
Date of Decision : 02nd December, 2016**

Sunil

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.K.Verma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This revision petition has been filed against the orders of the learned Courts below, declining to treat the petitioner as a juvenile before the Juvenile Justice Board (in short 'the Board).

Notice of motion.

On the asking of the Court, Mr. Amrik Narwal, DAG, Haryana, accepts notice on behalf of respondent(s)-State. Copy has been supplied.

The petitioner had relied upon his school leaving certificate from Government Senior Secondary School, Muwana. The Board did not consider the same because there was no evidence that it was the school first attended by the petitioner. Alongwith the appeal, the petitioner filed a school leaving certificate from Government Primary School, Muwana. The Appellate Court declined to take that into consideration also for the reason that there was no evidence that that was the school first attended by the

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petitioner in terms of the judgment passed by the Supreme Court in **Jodhbir Singh versus State of Punjab AIR (SC) 1.**

Learned counsel for the petitioner states that he would not press this petition on merits but in view of the fact that the plea of juvenility can be raised at any stage, he would pray that he be permitted to lead evidence in respect of the fact that the Government Primary School Muwana was the first school attended by the petitioner.

I find this to be a fair request.

In these circumstances, the impugned orders are set aside and the matter is remanded back to the Juvenile Justice Board, Jind with the direction to grant two effective opportunities to the petitioner to prove the fact that the Government Primary School, Muwana was the school first attended by him.

With the aforesaid direction, the instant petition stands disposed of.

02nd December, 2016

mamta

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No