

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL REVISION APPLICATION (REVN) NO.24/2013

Mithilesh s/o Dhanraj Gajbhiye
V/s
State of Maharashtra, Thr. PSO. P.S. Saoner, Dist. Nagpur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.M. Daga, counsel for the applicant.
Shri S.D. Sirpurkar, APP for the non-applicant/State.

CORAM : M.G. GIRATKAR, J

DATE : 18.12.2018.

Heard Shri R.M. Daga, learned counsel for applicant and Shri S.D. Sirpurkar, learned APP for the non-applicant/State.

The applicant is prosecuted for the offence punishable under Section 376 of the Indian Penal Code. The applicant raised objection before the Sessions Court vide application Exhibit No. 112 contending that he is juvenile and therefore matter be sent to the Juvenile Justice Board. The learned trial Court has recorded its finding that date of birth of applicant is 10.4.1993. The incident took place on 3.1.2012. Therefore, it is clear that the applicant was more than 18 years at the time of incident. The applicant cannot say that he is juvenile. The learned trial Court has rightly rejected his application. There is no merit in the revision, hence it is dismissed.

JUDGE