

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

CRR-4841-2017

Date of decision:-9.3.2018

Jakir Hussain

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Ferry Sofat, Advocate
for the petitioner.

H.S. MADAAN, J.

This revision petition is directed against the order dated 27.11.2017 passed by learned Additional Sessions Judge, Mewat vide which the accused Waseem was declared as a juvenile – in – conflict with law liable to be tried by Juvenile Justice Board, Mewat.

The complainant/revisionist prays that the revision petition be accepted and order under revision be set aside.

I have gone through the impugned order, which is well reasoned one having been passed in light of the law on the subject and considering the evidence adduced by the parties on record. To support his contention that his date of birth is 6.4.2002, the accused had examined

AW1 Muslim, Headmaster of Anishiya Public School, Marora, who proved school leaving certificate Ex.AW1/A issued to the petitioner; affidavit produced by Jaikam, father of applicant Waseem; the application for admission of Waseem mentioning his date of birth as 6.4.2002, copies of attendance register from April, 2013 to December, 2013. In addition to that AW2 Fojbi @ Foji, mother of petitioner had testified that she got married with Jaikam in the year 1990 and had given birth to seven children from his loins, five of them are alive and Waseem was born in the year 2002, earlier to him Nisar was born in the year 1995, Nasim and Nisrida were born in the year 1996 & 1998, respectively, though they had expired. Waseema was born in the year 2000, Waseem in the year 2002 and after that Ruksat was born in the year 2004 and Sukunat was born in the year 2008. She had proved transfer certificates of Waseema, Ruksar and Akunat also. No evidence was led by respondent – complainant in rebuttal. Thereafter, vide impugned order considering the evidence brought on record by the applicant – accused, which had gone unrebutted and law on the subject and rival contentions of the parties, the trial Court came to the conclusion that Waseem was a juvenile.

I do not find any illegality or infirmity with the said order so as to interfere therewith while exercising revisional jurisdiction.

Therefore, criminal revision petition challenging that order cannot survive and is dismissed accordingly.

9.3.2018

Brij

**(H.S.MADAAN)
JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No