

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No(s). 1527 OF 2017
(Arising out of SLP(CrI.) No. 3890 of 2016)

JIT BAHADUR RAI

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH represented by
HOME SECRETARY

Respondent(s)

O R D E R

Leave granted.

Since the appellant has been found to be juvenile, at the time of commission of offence he was of 15 years, thus maintaining his conviction and he has already undergone some sentence also, let he be released forthwith in the light of the decision rendered in Bhim Alias Uttam Ghosh vs. State of West Bengal [(2010)4 SCC 571]:

"17. Having held so, the next question for consideration is as to what order of sentence is to be passed against the appellant, who stands convicted for offence punishable under section 307 IPC, correctness whereof is not put in issue before us. The appellant is now aged about 42 years. Keeping his age in view, we feel that it would not be conducive for the environment of the special home, particularly to the interest of other juveniles housed therein, to send the appellant there or to keep him at some other place, as postulated in Section 16 of the 2000 Act for the remaining period in terms of Section 15 of the said Act."

The appeal stands disposed of.

.....J.
(ARUN MISHRA)

.....J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI;
AUGUST 28, 2017

ITEM NO.47

COURT NO.10

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3890/2016

(Arising out of impugned final judgment and order dated 14-01-2016 in CRLA No. 1796/1983 passed by the High Court of Judicature At Allahabad)

JIT BAHADUR RAI

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH HOME DEPARTMENT
SECRETARY

Respondent(s)

Date : 28-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Yashobant Das, Sr. Adv.
Mr. Sanjay Yadav, Adv.
Mr. Ashok Kumar, Adv.
Dr. Kailash Chand, AOR

For Respondent(s) Mr. T.N. Singh, Sr. Adv.
Mr. Ramjee Pandey, Adv.
Mr. Ravi Prakash Mehrotra, AOR
Mr. Vinay Garg, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed order.

(NEELAM GULATI)
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)