



2007. The judgment of the trial Court has been upheld by the High Court of Judicature at Allahabad in Criminal Appeal No 4699 of 2009.

3 A plea of juvenility was raised in the Special Leave Petition filed before this Court under Article 136 of the Constitution. In view of the plea, by an order dated 25 November 2020, a direction was issued to the Additional Sessions Judge to make an enquiry and to make a determination on the plea of juvenility. A 33-page report has been submitted by the Additional Sessions Judge on 10 February 2021, holding that the correct date of birth of the petitioner is 1 August 1987 and that, consequently, on the date of the incident, which took place on 28 April 2007, he was not a juvenile.

3 After the filing of the report, sufficient opportunity has been given to the learned counsel for the petitioner to controvert the findings. No cogent basis is made out before this Court to doubt the detailed findings which have been arrived at by the Additional Sessions Judge on a review of the documentary and oral evidence in the course of the enquiry. We, therefore, reject the plea of juvenility.

4 The conviction against the petitioner is based on the consistent testimony of three eye-witnesses, namely, Pws 1, 2 and 3. The High Court has also adverted to the recoveries which were made. The post-mortem report indicates that there were as many as 17 injuries comprising of both incised wounds and gunshot injuries which lend support to the ocular evidence. We, therefore, find no reason to entertain the Special Leave Petition.

5 The Special Leave Petition is accordingly dismissed.

6 Pending application, if any, stands disposed of.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**