

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.5216/2023

(Arising out of impugned final judgment and order dated 13-04-2023 in CRMA No. 2/2023 passed by the High Court of Judicature at Allahabad)

MOHAMMAD ABDULLAH AZAM KHAN

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 88915/2023 - APPLICATION FOR PERMISSION, IA No. 83586/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 83587/2023 - EXEMPTION FROM FILING O.T.AND IA No. 83585/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 499/2023 (X)

(FOR STAY APPLICATION ON IA 84370/2023, FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 84379/2023, FOR EXEMPTION FROM FILING O.T. ON IA 84381/2023)

Date : 26-09-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Nizam Pasha, Adv.
Mr. Lzafeer Ahmad B. F., AOR
Mr. Sidharth Kaushik, Adv.For Respondent(s) Mr. K.M Nataraj, A.S.G.
Mr. Sharan Dev Singh Thakur, A.A.G.
Ms. Ruchira Goel, AOR
Mr. Siddharth Thakur, Adv.
Ms. Indira Bhakar, Adv.
Mr. Adit Jayeshbhai Shah, Adv.
Mr. Sharanya Sinha, Adv.
Mr. Mustafa Sajad, Adv.
Ms. Keerti Jaya, Adv.UPON hearing the counsel the Court made the following
O R D E RConsidering that the correct date of birth relating to
the petitioner is relevant for ultimate consideration of the

issues raised and to decide the juvenility, appropriate finding is necessary on that aspect. Hence, the question relating to the correct date of birth of the petitioner is referred to the learned District Judge, Muradabad who shall provide opportunity to the parties, render a finding on that aspect in accordance with the procedure required under the Juvenile Justice Act and send a finding to this Court for further consideration in the matter.

The concern expressed by learned senior counsel for the petitioner with regard to the other proceedings against the petitioner in relation to the date of birth need not be adverted to at this stage since in any event we have sought a report from the court concerned and this aspect may be brought to the court concerned for seeking necessary indulgence therein, pending consideration of these petitions.

List these petitions after the report is received from the trial court.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR