



2026:AHC:168023

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL REVISION No. - 2025 of 2026**

Juvenile S

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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|-------------------------------|-------------------------------------------------------------|
| Counsel for Revisionist(s)    | : Ajaj Ahmad, Rishika Raj Singhal,<br>Shivendra Raj Singhal |
| Counsel for Opposite Party(s) | : Ajai Mani Tiwari, G.A., Praveen Kumar<br>Singh            |

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**Court No. - 78**

**HON'BLE SUBHASH CHANDRA SHARMA, J.**

Heard Mr. Ajaj Ahmand learned counsel for the revisionist, learned counsel for the opposite party/informant as well as learned A.G.A. for the State and perused the record.

The present criminal revision has been preferred by the revisionist through his father with a prayer to allow this revision and set aside the judgment and order dated 24.09.2025 passed by learned Children Court/Special Judge, (POCSO Act), First, Hathras in Criminal Appeal No. 54 of 2025 (Juvenile 'S' Vs. State of U.P. and another) as well as order dated 01.08.2025 passed by Juvenile Justice Board, Hathras. Further prayed to release the revisionist on bail in Misc. Case No. 14 of 2025 in Case Crime No. 201 of 2024 under Sections 191 (2), 115 (2), 352, 333, 109, 103 (1) B.N.S., Police Station Chandpa, District Hathras.

It is submitted by learned counsel for the revisionist that in this case he is aged about 17 years. He further submits that he was also named in F.I.R. with false allegations of causing injury to the deceased with the other members of his family. He further submits that other co-accused persons who were major have already been enlarged on bail by Co-ordinate Benches of this Court in Criminal Misc. Bail Application No. 13879 of 2025 and 20619 of 2025 by order dated 13.11.2025 and 30.10.2025 and the case of the present revisionist is on similar footing. It is further submitted that there is nothing adverse against the interest of the delinquent in the report submitted by D.P.O.

It is further submitted that the provisions as contained u/s 12 of the Juvenile Justice Act had not been considered by the Juvenile Justice Board even the report submitted by Probation Officer was also not considered. The appellate court has also not considered all these facts but rejected the appeal without

applying its judicial mind and considering the law as contained u/s 12 of the aforesaid Act. He is in Child Care Home since 08.12.2024 and his psychology is being affected adversely, therefore, requested to set aside orders passed by the J.J. Board as well as appellate court and allow the criminal revision.

Learned counsel for the opposite party/informant as well as learned A.G.A. opposed the prayer as aforesaid.

Considering the facts and circumstances of the case, submission made by learned counsel for both the parties as well as learned A.G.A. for the State, the perusal of record, the period he remained in observation home, the fact that other co-accused persons those were major have already been granted bail by Co-ordinate Benches of this Court, the provisions as contained u/s 12 of Juvenile Justice Act, the report submitted by the Probation Officer, it appears that Juvenile Justice Board as well as the appellate court had not considered the relevant provisions and the material on record in well manner but passed the orders without applying their judicial mind. In this way, there appears ground in this revision and the orders passed by the Juvenile Justice Board as well as learned appellate court are liable to be set aside.

Accordingly, the orders passed by Juvenile Justice Board dated 01.08.2025 and the appellate court dated 24.09.2025 are, hereby, set aside and present criminal revision is hereby, **allowed**.

It is directed that delinquent/applicant be released on bail on executing person bond by the revisionist ( father of the delinquent) and two sureties each in the like amount to the satisfaction of the Juvenile Justice Board concerned on following conditions :-

(i) The revisionist/father will furnish an undertaking that upon release on bail the revisionist will not be permitted to go into contact or association with any known criminal or allowed to be exposed to any moral, physical, or psychological danger and further that the father will ensure that the juvenile will not repeat the offence.

(ii) The revisionist/ father will further furnish an undertaking to the effect that the juvenile will pursue his study at the appropriate level which he would be encouraged to do besides other constructive activities and not be allowed to waste his time in unproductive and excessive recreational pursuits.

(iii) Juvenile and the revisionist/father will report to the Probation Officer on the first Monday of every calendar month.

(iv) The Probation Officer will keep a strict vigil on the activities of the juvenile and regularly draw up his social investigation report that would be submitted to the Juvenile Justice Board concerned on such a periodical basis as the Juvenile Justice Board may determine.

**August 11, 2026**  
Suraj Srivastav

**(Subhash Chandra Sharma,J.)**