



2026:AHC:169472

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL REVISION No. - 2454 of 2026**

Juvenile X

.....Revisionist(s)

Versus

State Of U.P. And 3 Others

.....Opposite  
Party(s)

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| Counsel for Revisionist(s)    | : | Shailendra Kumar Rai |
| Counsel for Opposite Party(s) | : | G.A.                 |

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**Court No. - 78**

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

Sri Brijesh Kumar Tripathi, learned counsel appeared and filed vakalatnam on behalf of opposite party/informant as well as supplementary affidavit filed by learned counsel for the revisionist today is taken on record. H

Heard learned counsel for the revisionist as well as learned counsel for the opposite party alongwith learned A.G.A. for the State and perused the record.

The present criminal revision has been preferred by the revisionist through his father under Section 102 of the Juvenile Justice (Care and Protection) Act-2015 (hereinafter referred to as "J.J. Act,2015) to allow the present revision and set aside the judgment and order dated 09.03.2026 passed by learned Additional Sessions Judge/Special Judge (POCSO Act), Court No.1/Juvenile Court, Ghazipur in Criminal Appeal No.21/2025 as well as order dated 04.02.2026 passed by Juvenile Justice Board, Ghazipur. Further prayed to release the revisionist on bail in Case Crime No.187/2026, under Sections 65(1), 352, 351(3) B.N.S. 2023 & Section 3/4 POCSO Act & Section 67 Information Technology (Amendment) Act, Police Station Dildarnagar, District Ghazipur.

It is submitted that in this case the age of the delinquent was about 17 years and he was not in a position to understand the nature of the act. The victim was also aged about 17 years and as per allegation in F.I.R. physical relations were established by the revisionist with the victim on the pretext of marriage. When he denied to marry, present F.I.R. was lodged by the victim against the revisionist. 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 bail application without applying its judicial mind and considering the law as contained u/s 12 of the aforesaid Act. It is also submitted that the apprehension of possibility of involving the delinquent in company of other criminals has been mentioned in the order passed by the learned Juvenile Justice Board and confirmed by the appellate court though no such possibility has been expressed by the Probation Officer in his report which is on record. The delinquent is in Juvenile Care Home since 22.10.2025 and his psychology is being affected adversely, therefore, requested to set aside order passed by the J.J. Board as well as appellate court and allow the criminal revision.

Learned counsel for the opposite party as well as learned A.G.A. opposed the prayer as aforesaid. Learned counsel for the opposite party made statement that the families of revisionist and the victim have agreed to marry them after their attaining the age of majority. In this way, the dispute between the parties has been settled, therefore, he has no objection in this regard.

Considering the facts and circumstances of the case, submission made by learned counsel for the parties as well as learned A.G.A., perusal of record, the provisions as contained u/s 12 of Juvenile Justice Act, the report submitted by the Probation Officer, the contents of F.I.R., the statement and age of the victim, 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 order 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 04.02.2026 and the appellate court dated 09.03.2026 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 12, 2026**  
Ashok Gupta

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