



2026:AHC:162450

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 2825 of 2026

X Juvenile

.....Revisionist(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Bhaskar Bhadra, Rajveer Chaurasiya
Counsel for Opposite Party(s)	:	G.A.

Court No. - 78

HON'BLE SUBHASH CHANDRA SHARMA, J.

Notice has already been served on the opposite party but none put appearance on his part.

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

The present criminal revision has been preferred by the revisionist through his natural guardian 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 04.02.2026 passed by learned Additional District and Sessions Judge/Special Judge (POCSO Act), Jalaun at Orai in Criminal Appeal No. 04 of 2026 as well as order dated 14.10.2025 passed by Juvenile Justice Board, Jalaun. Further prayed to stay the operation of the aforesaid orders and to release the revisionist on bail in Case Crime No. 81 of 2025, under Sections 87, 137(2), 64(1) B.N.S. and Section 3/4 POCSO Act, Police Station Nadigaon, District Jalaun.

It is submitted by learned counsel for the revisionist that in this case, he is innocent and has been falsely implicated. He has committed no offence. The delinquent was aged about 14 years at the time of alleged incident. The victim was also aged about 16 years and the victim was in affair with the delinquent for a period of one year prior to the alleged incident and there was conversation between them on mobile phone. Both of them went to Orai and then came back. No force or violence was used by the revisionist against the will of the victim. No any injury either internal or external was found on

the person of the victim. The statement of the victim was recorded before the learned Magistrate under Section 183 BNSS in which she clearly stated that the revisionist was in relation with her and friendship was going on for one year, prior to the alleged incident on instagram. She went to Orai with the revisionist where they entered into marriage in a temple then went to Gwalior and relations were also established and she was caught by the police. She entered into marriage in a temple with her will and also stated that she was willing to live with the revisionist, it shows that no force or violence was used by the revisionist. There is nothing adverse to the present delinquent in the report as submitted by the District Probation Officer. The provisions as contained under Section 12 of the Juvenile Justice Act has not been considered by the Juvenile Justice Board as well as the appellate court. The learned J.J. Board did not consider all these facts while deciding the bail application and the learned appellate court also did not consider the material available on record while rejecting the appeal which cannot be said to be lawful. The delinquent is in Juvenile Care Home since 11.07.2025 and his psychology is being affected adversely, therefore, requested to set aside the order passed by the J.J. Board as well as appellate court and allow the criminal revision.

Learned A.G.A. opposed the prayer as aforesaid.

Considering the facts and circumstances of the case, submissions made by learned counsel for the revisionist as well as learned A.G.A., perusal of record, the age of the victim and delinquent, the statement of the victim and provisions as contained u/s 12 Juvenile Justice Act and report submitted by the D.P.O. it appears that J.J. Board as well as the appellate court has 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 14.10.2025 and the appellate court dated 04.02.2026 are, hereby, set aside and present Criminal Revision is hereby, **allowed**.

It is directed that delinquent/applicant be released on bail on executing personal bond by the revisionist (legal guardian 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/natural guardian 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/natural guardian 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/natural guardian 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 4, 2026
Anurag Singh

(Subhash Chandra Sharma,J.)