



2026:AHC-LKO:20111

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL REVISION No. - 670 of 2025

Revisionist X Thru. Father Case Crime No.
208/2025

.....Revisionist(s)

Versus

State Of U.P. Thru. Secy. Home Lko. And Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Ram Asarey Verma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE SAURABH LAVANIA, J.

1. Heard learned counsel for the revisionist, the learned AGA for the State of U.P. and perused the material placed on record.
2. This criminal revision under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (in short "Act of 2015") has been filed against the judgment and order dated 01.05.2025, passed by the Special Judge Juvenile Court, District- Lakhimpur Kheri in Criminal Appeal No.20 of 2025 and the order dated 17.03.2025 passed by the Juvenile Justice Board, Lakhimpur Kheri.
3. While pressing the instant bail revision, the learned counsel for the revisionist stated that on the date of the alleged incident, i.e., 24.05.2025, the revisionist was aged about 16 years, 5 months, and 3 days.
4. It is further stated that the revisionist having no criminal history, is in judicial custody since 30.05.2024. In this view of the matter, the period of incarceration of the revisionist is more than 20 months. Taking note of the period of incarceration as well as the spirit of Section 12 of the Act of 2015, the revisionist is entitled to be released on bail.
5. It is further submitted that the it is a case of circumstantial evidence, and there is no eyewitness available with the prosecution to prove its case beyond reasonable doubt against the revisionist.

6. A perusal of the material available on record, including the report of the District Probation Officer (in short "D.P.O.") annexed as Annexure No. 11 from pages 40 to 45, particularly page 45 of the same, would indicate that the prosecution is proceedings against the revisionist only on the basis of the confessional statement of the present revisionist, which is inadmissible in evidence.

7. Based on the report of the DPO, it is further stated that, according to the said report, the revisionist and the deceased (the daughter of maternal aunt of the revisionist) were in affair. However, the same is not correct.

8. The report of D.P.O. also indicates that the deceased informed the revisionist that our relationship is now known to my family and thereafter both went to 'Neel Ghat', an open place, situated near the house of both the families which are located across the road and at 'Neel Ghat' both hanged themselves, however, the revisionist survived. This is also incorrect.

9. It is further stated that, upon due examination of the body of the deceased, the concerned doctor found five injuries. The injuries are indicated as under:-

"1.CONTUSION 15CMX3CM PRESENT OVER LEFT SIDE OF NECK 6CM BELOW CHEN AND 7CM BELOW LEFT EAR ON DISSECTION UNDER LYING SUBCUTANEUS TISSUES FOUND ECHYMOSED THYROID CARTILAGE FOUND BROCKEN AND TRICIHEA FOUND DEEPELY CONGESTED.

2.CONTUSION 10CMX4CM PRESENT OVER RIGHT SIDE OF SHOULDER.

3.CONTUSION 7CMX3CM PRESENT ÖVER RIGHT SHOULDER.

4-CONTUSION 8CMX4CM PRESENT OVER RIGHT THIGH ARROUND GENITAL AREA.

5-CONTUSION 6CMX4CM PRESENT OVER LEFT THIGH ARROUND GENITAL AREA"

10. It is further submitted that the as per the post-mortem report, the cause of death is "Asphyxia" as a result of "Ante-mortem Strangulation."

11. It is also stated that from the aforesaid facts, it appears that it is a case of honour killing, and the revisionist is innocent.

12. Lastly, it is submitted that considering the entire facts and circumstances of the case, including that it is a case of circumstantial evidence, as there is no witness of last seen available with the prosecution, as also the spirit of Section 12 of the Act of 2015 and the period of incarceration, the revisionist is entitled to be released on bail.

13. It is further stated that in case he is enlarged on bail, there is no apprehension that after being released on bail he may come with the contact of the known and unknown bet criminals or may be exposed to moral, physical or psychological danger.

14. Learned AGA, has opposed the bail application, however, he could not dispute the above submissions of learned counsel for the revisionist.

15. Thus having regard to overall facts and circumstances of the case including the period of incarceration, post mortem report and the report of District Probation Officer, which is not against the revisionist and also the spirit of Section 12 of the Act of 2015, I find force in the revision. Accordingly, the revision is **allowed**.

16. The impugned judgment and order dated 01.05.2025, passed by Special Judge Juvenile Court, District- Lakhimpur Kheri in Criminal Appeal No.20 of 2025 and the order dated 17.03.2025 passed by the Juvenile Justice Board, Lakhimpur Kheri are hereby set aside.

17. Let Revisionist 'X', of aforesaid Case Crime Number be enlarged on bail, in the above mentioned case on executing a personal bond by his father/natural guardian with two reliable sureties in the like amount to the satisfaction of the Court/Board concerned and on submission of undertaking on affidavit by his father that she will take due care of the juvenile, will not allow him to indulge in any unlawful or criminal activity or join the company of unlawful elements, will keep him under strict control, shall not attempt or tamper with the evidence or threaten the witnesses, shall not seek any adjournment on the date fixed for evidence, shall remain present before the trial Court on each date fixed either

personally or through her counsel, failing which, the order of bail granted to Juvenile may be cancelled.

18. For a period of one year from today, the Juvenile shall appear before the District Probation Officer concerned along with his natural guardian on 10th of every month.

(Saurabh Lavania,J.)

March 19, 2026

Preeti