



2026:AHC:56211

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 281 of 2026

Delinquent Juvenile X

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Mohammad Abid Ali
Counsel for Opposite Party(s)	:	G.A.

Court No. - 83

HON'BLE SUBHASH CHANDRA SHARMA, J.

Supplementary affidavit filed today by learned counsel for the revisionist is taken on record.

Heard learned counsel for revisionist, opposite party no. 2 who appeared in person 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 17.10.2025 passed by learned Additional Special Judge (POCSO Act), Bareilly in Criminal Appeal No. 18 of 2025 as well as order dated 01.08.2025 passed by Juvenile Justice Board, Bareilly. Further prayed to stay the operation of the aforesaid orders and to release the revisionist on bail in Case Crime No. 1229 of 2024, under Sections 191(2), 191(3), 190, 115(2), 352, 109 B.N.S. Police Station Baradari, District Bareilly.

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 16 years at the time of alleged incident. In the F.I.R. 11 persons were named and 8-10 persons were unknown. No any specific role was assigned to the present revisionist. Co-accused persons those were assigned the specific role have already been granted bail by co-ordinate Bench of this Court and the case of present revisionist is not different from other co-accused persons. 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 05.05.2025 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. as well as opposite party no. 2 who appeared in person 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 delinquent and fact that other co-accused persons have given specific role have already been granted bail by co-ordinate Bench of this Court, 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 01.08.2025 and the appellate court dated 17.10.2025 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.

March 19, 2026
Anurag Singh

(Subhash Chandra Sharma,J.)