



2026:AHC:56674

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 837 of 2026

Juvenile (S)

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Sandeep Kumar Srivastava
Counsel for Opposite Party(s)	:	G.A., Mohd. Azam

Court No. - 83

HON'BLE SUBHASH CHANDRA SHARMA, J.

Heard learned counsel for the revisionist, 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 20.12.2025 passed by learned Additional Session Judge/ Special Judge, (POCSO Act) Ist, Amroha in Criminal Appeal No. 162 of 2025 (Juvenile (S) Son of Bhojraj Singh Vs. State of U.P. and another) as well as the impugned order dated 24.11.2025 passed by learned Juvenile Justice Board, Amroha. Further prayed to release the revisionist on bail arising out of Case Crime No. 301 of 2025, under Section 105, 115(2) B.N.S. and 3(2)V Schedule Caste/Scheduled Tribe Act, Police Station Naugawan Sadat, District J.P. Nagar(Amroha).

It is submitted by learned counsel for the revisionist that in this case F.I.R. was lodged against three unknown culprits. He also submits that in the F.I.R. he was mentioned by the informant that the injured/deceased fell from the roof but during the course of investigation the name of present revisionist was brought into light with other co-accused persons Neetu Saini and Shyoveer Saini who were major and whose bail has already been granted by Coordinate Bench of this Court in Criminal Appeal No. 11057 of 2025 by order dated 19.12.2025 and in Criminal Appeal No. 10856 of 2025 by order dated 18.12.2025 and the case of the present revisionist is not on different footing.

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 27.10.2025 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.

Considering the facts and circumstances of the case, submissions made by learned counsel for both the parties as well as learned A.G.A., perusal of record, the fact that other co-accused persons those were major has already been granted by Co-ordinate Bench of this Court and the case of the present revisionist is not on different footing, 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 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 24.11.2025 and the Appellate Court dated 20.12.2025 are, hereby, set aside and present criminal revision is hereby, **allowed**.

It is directed that revisionist 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.

March 19, 2026

Suraj Srivastav

(Subhash Chandra Sharma,J.)