

(2014) 10 SC CK 0009
In the Supreme Court Of India
Case No : SLP(Crl.) No. 5699/2014

Central Bureau of Investigation

APPELLANT

Vs

Swapan Roy

RESPONDENT

Date of Decision : 27-10-2014

Acts Referred:

Citation : (2015) 4 SCC 323

Hon'ble Judges : Uday Umesh Lalit, J; Rohinton Fali Nariman, J; Dipak Misra, J

Bench : Full Bench

Final Decision : Dismissed

Judgement

1. In the present case, the Central Bureau of Investigation has approached this Court as the High Court of Calcutta has declined to interfere with regard to the age of an accused on the ground that there is proof that he is a juvenile. Mr. Rohatgi, learned Attorney General, apart from submitting that the finding recorded on that score is absolutely unsustainable, also submitted that the entire scheme of juvenility is engaging the attention of the Central Government. While dealing with the issue, two suggestions were given to the learned Attorney General, namely, whether there is any kind of consideration as regards the reduction of age, and whether the juvenility will depend upon the nature of offence committed. To elaborate, whether the attention of the Government will be drawn to the prevailing atmosphere that most of the juveniles are engaged in horrendous and heinous crimes like rape, murder and drug-peddling, etc.

2. Learned Attorney General submitted that after obtaining instructions from the competent authority, he will file an affidavit within three weeks hence. Let the matter be listed on 24.11.2014. Interim order passed on earlier occasion shall remain in force until further orders.