

**SUPREME COURT OF INDIA**

State of Haryana

Vs.

Jaswinder Singh @ Sindu

Crl.A.no.605 of 2009

(S.B. Sinha and Dr. Mukundakam Sharma JJ.)

27.03.2009

**ORDER**

1. Leave granted.

2. Having heard the learned counsel appearing on behalf of the parties, we are of the opinion that as the date of birth of the respondent-accused is in question in these matters and the Courts below have taken contrary views, interest of justice would be subserved if before final determination of the question as to whether the respondent-accused was a juvenile or not on the date of occurrence, within the meaning of the Juvenile Justice (Care & Protection of Children) Act, 2000, he is examined by a Medical Board constituted by the Civil Surgeon, Kaithal. We direct accordingly.

3. The report of the Medical Board may be placed before the learned Trial Judge, within three months from date, for consideration thereof afresh.

4. The Registry shall send a copy of this order to the Civil Surgeon, District Kaithal, Punjab. The appeals are disposed of accordingly.