

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 605 OF 2009

[Arising out of SLP(Crl.) No. 3896/2007]

STATE OF HARYANA	...	APPELLANT(S)
:VERSUS:		
JASWINDER SINGH @ SINDU	...	RESPONDENT(S)
WITH		

CRIMINAL APPEAL NO. 615 OF 2009

[Arising out of SLP(Crl.) No. 1090/2007]

SUNIL KUMAR	...	APPELLANT(S)
:VERSUS:		
STATE OF HARYANA AND ANR.	...	RESPONDENT(S)

ORDER

Leave granted.

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.

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

The Registry shall send a copy of this order to the Civil Surgeon, District Kaithal, Punjab.

The appeals are disposed of accordingly.

**.....J
(S.B. SINHA)**

**.....J
(Dr. MUKUNDAKAM SHARMA)**

**NEW DELHI,
MARCH 27, 2009.**