# Legal Case Summary

Case Title: Child in Conflict with Law Through His Mother vs The State of Karnataka

Citation: 2024 INSC 387, Criminal Appeal from SLP (Crl.) No. 3033 of 2024

Date of Judgment: 7 May 2024

Bench: Justice Rajesh Bindal, Justice C.T. Ravikumar

Author of Judgment: Justice Rajesh Bindal

## Parties Involved

Appellant: Child in Conflict with Law (through his mother)

Respondents: State of Karnataka and Another

## Background / Facts of the Case

An FIR was filed against the child (CCL) for offences under IPC sections 376(i), 342 and POCSO sections 4–8. He was arrested on 03.11.2021 and later released on bail. The Board initially assessed the child to be tried as an adult, but due to conflicting views within the Board, no consensus was reached. A subsequent order held the child to be tried as juvenile. The complainant (mother of the victim) challenged this and requested the case be transferred to the Children’s Court. The High Court allowed the revision and directed the transfer. This was challenged in the Supreme Court.

## Legal Issues Raised

1. Whether the order passed on 05.04.2022 was valid despite not being signed by all Board members.

2. Whether Section 14(3) of the JJ Act providing a 3-month timeline for preliminary assessment is mandatory.

3. Whether the revision petition before High Court was maintainable under CrPC.

## Judgment / Decision

The Supreme Court held that the three-month timeline under Section 14(3) is directory, not mandatory. It emphasized that delay in expert reports or procedural delays should not render proceedings invalid. The order passed by Principal Magistrate on 05.04.2022 was held valid and final under JJ Act Section 7(4). The High Court's revision was found improper as an appeal was the correct remedy.

## Final Order

• Appeal allowed.

• High Court’s order set aside.

• CCL granted liberty to file appeal if aggrieved by order dated 05.04.2022.

## Case Timeline

• 03 Nov 2021: CCL arrested

• 09 Nov 2021: Released on bail

• 05 Apr 2022: Board initially decides CCL to be tried as adult (dissent recorded)

• 12 Apr 2022: Board reconsiders and decides trial as juvenile

• 10 Apr 2023: Application to terminate juvenile proceedings dismissed

• 15 Nov 2023: High Court sets aside Board order

• 7 May 2024: Supreme Court delivers final judgment

## Relevant Legal Principles & Precedents

• Juvenile Justice Act, 2015 – Sections 14, 15, 18, 19, 101

• Preliminary assessment must be completed but timeline is directory

• Principal Magistrate’s opinion is final if no majority exists in Board

## Key Takeaways

- Timelines under JJ Act are meant to be followed but are not strictly mandatory.

- If there is dissent among Board members, the Principal Magistrate's view prevails.

- Revision under CrPC is not the proper remedy for challenging Board decisions under JJ Act.