



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

219

CRWP-10069-2025

Date of decision : 26.09.2025

NEERAJ SINGH

..... PETITIONER

VERSUS

UT CHANDIGARH AND OTHERS

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Samir Rathaur, Addl. Public Prosecutor, U.T. Chandigarh.
for respondents No.1 to 3.

Respondents No.4 & 5 in person.

SURYA PARTAP SINGH. J.(Oral)

1. In response to notice, respondents No.4 and 5 have appeared.
2. Learned State counsel representing the respondents No.1 to 3 has informed that the detenue is minor and she is in custody of her parents, whereas petitioner is a relative of alleged husband of the detenue, namely Satyam.
3. It has also been submitted by learned State counsel that against Satyam, the FIR under POCSO Act has already been lodged at the instance of respondents No.4 and 5.
4. In view of above in the present case it is apparent that there is a big question mark with regard to claim of the petitioner, that the detenue is

a legally wedded wife of the nephew of petitioner. With regard to age of detinue the petitioner has relied upon the entry in Aadhar card of the detinue, whereas the claim of respondents No.4 & 5 is on the basis of being parents. Aadhar card is not proof of age, whereas the respondents No.4 & 5 being natural father and mother have special knowledge with regard to age of the detinue. In addition to above the claim of respondents No.4 & 5 is supported with medical evidence, as the detinue has been subjected to age determination test. Thus, the detinue is prima facie a minor, and therefore her marriage with Satyam cannot be held to be valid. Since the detinue is in custody of her natural parents, the custody of respondents No.4 and 5 cannot be held to be illegal. In view of above, it is hereby held that this petition at the instance of maternal uncle of so called husband of detinue is not sustainable and deserves dismissal.

5. Thus, this petition is not sustainable and the same is hereby dismissed.

(SURYA PARTAP SINGH)
JUDGE

26.09.2025

vipin

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No