



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

**(218-2)**

**CRR(F) No. 131 of 2022 (O&M)**

**Date of Decision: 28.4.2026**

Dr. Sandeep Kumar

.....Petitioner

Versus

Madhu and another

.....Respondents

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Shubham Kaushik, Advocate  
for the petitioner.

Dr. Pankaj Nanhera, Advocate  
for the respondents.

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**KIRTI SINGH, J. (ORAL)**

1. The present revision petition has been preferred against the order dated 15.3.2021 passed by learned Principal District Judge, Family Court, Hisar, whereby the application filed by the petitioner seeking direction for conducting DNA test of respondent No. 2-minor child and the petitioner, has been dismissed.

2. The brief facts of the case are that the marriage between the petitioner and the respondent was solemnized on 12.12.2013, as per Hindu religious rites and ceremonies. Subsequently, respondent No. 2 was born on 16.2.2016. A matrimonial dispute ensued between the couple and a petition under Section 125 Cr.P.C. was filed by the respondents seeking maintenance from the petitioner. During the pendency of the said petition, the petitioner moved an application for conducting a DNA test to confirm the parentage of respondent No. 2. Vide impugned order dated 15.3.2021, the said application was dismissed by the learned Family Court. Aggrieved by the same, the

petitioner has approached this Court by filing the present petition.



3. Learned counsel for the petitioner submits that the impugned order suffers from patent illegality and has been passed without properly appreciating the material facts of the case. Respondent No. 1 conceived in June 2015, however, admittedly there was no cohabitation between the petitioner and the respondent-wife for about 07 months, prior to 19.6.2015. It is submitted that the learned Family Court failed to appreciate this fact, that the parties had no access to each other at that time. Moreover, no prejudice would be caused to the respondents if the DNA test is conducted. Therefore, it is prayed that the impugned order be quashed and set aside.

4. *Per contra*, the learned counsel for the respondents has opposed the present revision petition. He submits that the learned Family Court has rightly observed that the child was born during the subsistence of a valid marriage. Thus, the impugned order is a well-reasoned order and requires no interference.

5. Heard the learned counsel for the parties and perused the relevant record.

6. A careful reading of the judicial file would reveal that the learned Family Court duly observed in the impugned order that though the respondent wife was turned out from her matrimonial home on 17.11.2014, but she subsequently returned to her matrimonial home on 19.6.2015. Therefore, from 19.6.2015 till her conception, there was access between the parties during the relevant period. It was further held that as such, there was no glaring material that had been placed on record that would warrant the Court to order the conduct of a DNA test to confirm the parentage of the child, which even otherwise it has been stated in a plethora of judicial pronouncements, must be directed not as a matter of routine but only where



material to suggest otherwise, it was rightly inferred by the learned Family Court that the minor child was born out of the conjugal relations between the parties and was the legitimate daughter of the couple. It was further observed by the learned Court in the impugned order that moreover, the parentage of the minor child had been questioned after her birth, when a maintenance petition had been filed, indicating that the application was not *bona fide* but an attempt on the part of the petitioner-husband to delay the proceedings and avoid paying maintenance to his wife and daughter. This Court finds that all these observations made in the impugned order are based on the material available on record and are just and reasonable. Learned counsel for the petitioner has not been able to indicate any perversity in the impugned order which requires interference by this Court.

7. Accordingly, the present revision petition is dismissed being bereft of any merit.

8. Pending miscellaneous application(s), if any, also stands disposed of.

**(KIRTI SINGH)**  
**JUDGE**

**April 28<sup>th</sup>, 2026**  
Gurpreet Singh

**Whether speaking/reasoned : Yes/No**  
**Whether reportable : Yes/No**