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CRM-M-20556-2025(O&M)

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

(108)

CRM-M-20556-2025(O&M)

Date of Decision:- 23.03.2026

NARESH KUMAR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Harpal Singh Sidhu, Advocate for the petitioner.

Mr. Lupil Gupta, Advocate,
Mr. Varun Singla, Advocate, Mr. Akash Bharti, Advocate
Mr. Hardeep Singh, Advocate for the
complainant.

Mr. Amandeep Singh Samra, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 482 of the BNSS, 2023, seeking the concession of anticipatory bail to the petitioner in FIR No. 28 dated 19.03.2025, registered under Sections 137(2) and 96 of the BNSS, 2023, at Police Station Sadar Moga, District Moga (Annexure P-1).

2. Learned counsel for the petitioner submits that the allegations made in the FIR are false and concocted. It is further submitted that the victim always represented herself to be a major, and therefore, the petitioner was in a consensual relationship with her. In fact, it is the positive case of the petitioner that both he and the victim had approached this Court



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by filing CRWP No. 2054 of 2025 seeking protection, and all documents regarding her date of birth were supplied by the victim herself. Learned counsel submits that the Aadhaar Card provided by the victim, issued in the year 2015, clearly demonstrates her year of birth as 2005.

3. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, submits that all these documents are forged and fabricated. It is contended that the parents of the victim were married in the year 2008 and that the correct year of birth of the victim is 2009. Therefore, all documents, including the Aadhaar Card and the birth certificate appended earlier, are alleged to be the result of forgery, fraud, and fabrication.

4. Learned counsel for the petitioner submits that the petitioner had no reason to disbelieve the victim, as they were in a consensual relationship and she consistently claimed herself to be a major. It is further submitted that they got married. Reliance is placed on the statement of the girl/victim dated 06.05.2025 to contend that her parents were attempting to forcibly marry her to an older person, which she opposed, and it was for this reason that she left her home and approached the petitioner.

5. After hearing learned counsel for the parties, what emerges is that there is a dispute regarding the Aadhaar Card issued to the daughter of the complainant. One photocopy of the Aadhaar Card shows that it was issued in the year 2015, reflecting her year of birth as 2005, whereas the copy appended with the response and relied upon by the complainant shows the year of birth as 2009. This issue can only be clarified by the concerned



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authority i.e. UIDAI, as they would have the original application form on the basis of which the Aadhaar Card was issued.

6. Faced with the above situation, learned counsel for the petitioner seeks permission to withdraw the present petition. However, it is requested that the authorities be directed to obtain the relevant information so that the ambiguity can be resolved. It is alleged that this confusion has been created by the complainant by recording an incorrect date of birth in the earlier Aadhaar Card. Learned counsel further submits that the Aadhaar Card now being relied upon by the complainant reflects the year of birth as 2009, and it cannot be ruled out that the complainant may have applied for its correction.

7. In light of the above, the present petition is dismissed as withdrawn, with a direction to the investigating agency to immediately approach UIDAI, which is further directed to provide the relevant information within two weeks from today so that the ambiguity can be resolved.

8. The petitioner is at liberty to avail appropriate remedies and file a fresh petition in case a favourable report is received from UIDAI.

9. Pending application(s), if any, stands disposed of.

(ALOK JAIN)
JUDGE

March 23, 2026

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No