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SURESH VS THE STATE OF UTTAR PRADESH 2025 INSC 918

: Public Records Over Private Certificates, The Supreme Court on Proving Juvenility

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Introduction

In criminal proceedings, the determination of age is not a mere formality: it directly affects the nature of the trial, of sentencing, and of the application of beneficial legislation provided by the juvenile justice system. If a person is incorrectly declared to be juvenile, he or she may lose the protections of the Statutory Child Protection Act, or the adult offender may avoid ordinary criminal liability. In *Suresh v. State of Uttar Pradesh*, the Supreme Court faced this very challenge in determining whether the two sets of documents could validly prove that the accused was a juvenile.

This judgment is important as it defines the hierarchy of evidence in age determination proceedings under the Juvenile Justice (Care and Protection of Children) Rules, 2007, and also reconciles this with Section 35 and 74 of the Indian Evidence Act, 1872. The Court said that school certificates that are not based on a fundamental authenticity cannot replace the statutory public records and medical evidence from the science and technical field. This case thus serves as a significant precedent for the importance of reliability, authenticity and public trust in the justice system, and is a case of determining the age of a young person in a serious criminal offence.

Background

The incident took place in Muzaffarnagar, UP on 31 August 2011. Rajesh Singh was shot dead by Respondent No.2 and his father. An FIR was lodged.

During the trial Respondent No.2 alleged that he was a juvenile under the Juvenile Justice Act 2000 and that he was born on 18 April 1995. He's used School Transfer Certificates.

But in his first school, he had been reported based only upon the oral testimony of his father, without the documents. Information in other documents such as Family Register, electoral roll, Medical Board report showed he was more than 18 when the offence occurred.

Judicial History

The school transfer certificates and the declaration of Respondent No.2 as a juvenile was accepted by the Trial Court by order dated 19 May 2015. This was upheld by the Allahabad High Court in criminal revision proceedings under Rule 12 of Juvenile Justice Rules, which laid more emphasis on school records for establishing the age.

When it was confirmed that the appellant was a juvenile, he appealed to the Supreme Court. The issue before the Court was whether the school certificates were sufficient to prove age in spite of the conflicting evidence of the statute and medical records.

Problems before the Court

The appellant filed an appeal against the reliance given to the school certificate, contending that the school certificate contained no supporting evidence in respect of the respondent's date of birth other than the oral testimony of his father. In contrast, the reliance was made on the statutory public records, one being the Family Register maintained under the U.P. Panchayat Raj Act and the other being the electoral roll which indicated that the respondent was a major at the time of the offence.

The arguments that were raised by the Parties.

Arguments by the Appellant.

The appellant contended that the courts below were incorrect for relying on the school certificates without an examination of the evidentiary basis for the same. It was submitted that the accused was directly admitted into Class V in the first attended school and his date of birth was just mentioned by his father on the school's representation.

Section 35¹ of the Indian Evidence Act which deals with the relevance of entries in public records made in the course of official duty was relied on. The appellant invoked the decision in *Birad Mal Singhvi v. Anand Purohit*², where the Supreme Court stated that the entries in the school register have only limited value as evidence unless the age is substantiated by an independent proof.

The appellant also cited the decision of *Om Prakash v. State of Rajasthan*³, where the Court had noted that in serious offences, if medical evidence is reliable and trustworthy, then it should not be set aside by the doubtful school records.

The respondent's year of birth was recorded in the Family Register filed under the U.P. Panchayat Raj Act in 1991 and the age was shown in the voters' list as around 21 years in 2012. Also, in December 2012, the Medical Board estimated his age to be 22 years. Hence, the appellant had argued that the accused was definitely a major.

Arguments by the Respondent

Rule 12 created a hierarchy of evidence for deciding on the age of a child, said Respondent No. 2. The date of birth certificate of the first attended school was used as proof in the absence of a matriculation certificate, pursuant to the rule 12(3)(a)(ii)⁴.

It was also reported that several schools repeatedly provided the same date of birth - 18 April 1995 - which helps to support its authenticity. The respondent also contended that the school authorities had testified in support of these records.

Judgment and Reasoning

¹ INDIAN EVIDENCE ACT, No. 1 of 1872, §§ 35

² *Birad Mal Singhvi v. Anand Purohit*, 1988 Supp SCC 604 (India)

³ *Om Prakash v. State of Rajasthan*, (2012) 5 SCC 201 (India)

⁴ Rule 12 of the Juvenile Justice (Care and Protection of Children) Rules, 2007 12(3)(a)(ii) (India)

The Supreme Court allowed the appeal and set aside the decision of the Trial Court and High Court that the accused was a juvenile.

The Court established that Rule 12 establishes a "hierarchy" for determining age, but it was not meant to be followed mechanically when there are significant questions about the authenticity of documentary evidence. The Court pointed out that the goal of juvenile justice jurisprudence is not blind adherence to legal formality but instead to promote justice.

A key question before the judge was whether these were public documents, as opposed to private records, under Sections 35 and 74 of the Evidence Act⁵. The Court noted that Kaushik Modern Public School was not a government school, but only a recognised private school. The result was that its records were not public documents and its headmaster was not a public servant under the Evidence Act.

The Court gave great importance to the fact that the headmaster had admitted that this was the date of the accused's birth, as mentioned by the accused's father, without any document like a birth certificate or horoscope. This seriously undermined the credibility of the school certificate.

On the other hand, the Family Register kept under U.P. Panchayat Raj Act was a statutory public record kept for official purposes. Also, the accused's age was consistently shown to be over eighteen years on the electoral roll and on the Medical Board report.

The Court also extensively quoted from *Om Prakash v. State of Rajasthan* which states that in cases of doubt or speculation in the school records, medical evidence based on scientific examination should be given due consideration. The Court warned that the Juvenile Justice Act should not be used as a protection for adults who have committed grave offenses.

At the end of the day, the Supreme Court ruled that the accused was not a juvenile when the offense was committed, and ordered him to be tried as a major.⁶

Significance of the Judgement

⁵ INDIAN EVIDENCE ACT, No. 1 of 1872, §§ 35, 74

⁶ Mehta, A., Mehta, A., & Bites, L. (2025, August 5). Legal bites. Legal Bites. <https://www.legalbites.in/landmark-judgements/case-summary-suresh-v-state-of-uttar-pradesh-anr-2025-supreme-court-rejects-false-juvnenility-claim-1169695>

This judgment indicates the hierarchy of evidence, the reliability of evidence in the process of age determination.

First, the Court differentiated between the "public records" created by law and the "private institutional documents". Public records made for a statutory purpose are more likely to be admissible as evidence under Sections 35 & 74 of the Evidence Act.

Second, the decision establishes clear that Rule 12 school certificates are not presumptively true. The probative value is dependent on the authenticity of the information relied on to determine the date of birth. If they are not substantiated, such entries may be discredited.

Third, the judgment highlights the importance of medical documents when there are competing documents. In Rule 12, the doctor's opinion is subordinate but the Court stated that scientific evidence can be admitted if there is reasonable doubt.

It is the Juvenile Justice Act that should be utilized to rehabilitate the real juvenile and not misused by false records.

Conclusion

Suresh v. State of Uttar Pradesh is an important case on the issue of burden of proof to prove age. The Supreme Court held that if there is no foundation of reliability for a private school record, it cannot contradict other documents that are required to be preserved under the statute, such as statutory public-school records and medical evidence.

The Court found a balance between the principals of juvenile justice and Evidence Act Sections 35 and 74, resulting in a hierarchy of evidence for authenticity and support of the law. The judgment establishes the safety of true children in contention with the law, and at the same time rejected the misusing by the adult offenders.