

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case No:- WP(C) No. 2173/2025

Dhrub Singh

.... Petitioner(s)

Through: Mr. Mandeep Singh, Advocate.

Vs

Union of India and Ors.

..... Respondent(s)

Through: Mr. Vishal Sharma, DSGI with
Mr. Karan Sharma, CGSC for respondent
Nos.1 to 3.
Mr. A. P. Singh, Sr. Advocate with
Mr. T. R Wani, Advocate for respondent
No.4.

Coram: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

27.07.2026

1. Through the medium of instant Writ Petition, petitioner seeks the following reliefs:-
 - a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing respondent Nos.1 to 3 to initiate a time bound and impartial inquiry into the recruitment documents of GDR Parshotam Singh (Army No.271811Y);
 - b) Direct the respondents to take disciplinary and legal action against the said individual in accordance with the provisions of the Indian Army Act and the BNS, if the allegations are substantiated;
2. The case projected by the petitioner in the present writ petition is that his daughter was married to respondent No.4 on 07.11.2021. It is averred that within one year of the solemnization of the marriage, the petitioner's daughter committed suicide. Consequently, FIR No.87 dated 03.05.2022 came to be registered against respondent No.4 and his family members, wherein the investigation has culminated in the filing of a challan before

the competent Court at Samba. It is further pleaded that the petitioner also instituted a complaint under Section 406 of the Indian Penal Code read with Section 6 of the Dowry Prohibition Act against respondent No. 4 and his family members, which is presently pending before the learned Chief Judicial Magistrate, Samba. The order dated 07.01.2023 passed by the learned Chief Judicial Magistrate, Samba, was challenged by respondent No. 4 and the other accused before this Court, and the operation thereof came to be stayed vide order dated 12.05.2023.

3. The petitioner has further averred that respondent No. 4, with a deliberate and mala fide intention, suppressed material facts pertaining to his identity and credentials, thereby inducing the petitioner and his family to enter into the matrimonial alliance. It is alleged that, in furtherance of such misrepresentation, the date of birth of respondent No. 4 has been reflected as 28.06.2000 in the Marriage Certificate (Annexure-V) issued by the Registrar of Marriages, Suchetgarh, despite his spouse being recorded therein as 28 years of age. The petitioner has further relied upon the certificate (Annexure-IV) issued by the Principal, Martyr Major Arvind Bazala Government (Boys) Model Higher Secondary School, R.S. Pura, wherein the date of birth of respondent No. 4, namely Parshotam Singh, is recorded as 28.02.1991. According to the petitioner, a fabricated certificate reflecting his date of birth as 28.06.2000 was subsequently furnished at the time of his recruitment in the Indian Army. It is further pleaded that the petitioner submitted detailed complaints, duly supported by documentary material, before respondent No. 3 seeking appropriate action. However, despite the said representations, no disciplinary,

administrative, or preliminary enquiry has been initiated, thereby constraining the petitioner to invoke the extraordinary writ jurisdiction of this Court.

4. Per contra, learned counsel appearing for the respondents vehemently opposed the writ petition and contended that the same is not maintainable. It was submitted that, at the instance of the petitioner, a criminal case already stands registered against respondent No.4 and his family members, and the competent Criminal Court is presently seized of the matter. It was further argued that the present petition has been instituted only with a view to settle personal scores and constitutes an abuse of the writ jurisdiction of this Court. Learned counsel, therefore, prayed for dismissal of the writ petition in limine.
5. I have heard learned counsel appearing for the parties and perused the material available on record.
6. It is not in dispute that the petitioner's daughter was married to respondent No. 4. It is equally undisputed that she died by committing suicide within one year of the marriage. Pursuant thereto, an FIR came to be registered against respondent No. 4 and his family members. The petitioner also instituted a complaint under Section 406 of the Indian Penal Code read with Section 6 of the Dowry Prohibition Act, which is pending adjudication. The proceedings pending before the learned Chief Judicial Magistrate, Samba, came to be stayed by this Hon'ble Court at the instance of respondent No.4. The petitioner had also approached the competent Army Authorities by way of complaints seeking initiation of appropriate disciplinary proceedings against respondent No. 4 on the

allegation that he had secured employment in the Army by misrepresenting and fabricating his date of birth. Despite being fully aware of the alleged fabrication of the date of birth by respondent No. 4, the petitioner solemnized the marriage of his daughter with respondent No. 4. This fact is borne out from the Marriage Certificate, which reflects respondent No.4 to be approximately seven years younger than the petitioner's daughter. The said circumstance assumes significance while appreciating the conduct of the petitioner and the allegations now sought to be raised against respondent No. 4.

7. In view of the foregoing, no case is made out for interference by this Court in the exercise of its extraordinary writ jurisdiction under Article 226 of the Constitution of India. The present petition, having been found to be bereft of merit and motivated by extraneous considerations, deserves no indulgence. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Pending applications, if any, shall also stand disposed of.

(Sanjay Parihar)
Judge

Jammu
27.07.2026
Narinder