

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

CRM-M No.36638 of 2016

Date of Order: 26.09.2017

Dalbir Singh

....Petitioner

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. S.L. Chander Shekhar, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Bikramjit Aroura, Advocate for
respondent Nos.4 & 7.

None for respondent No.5.

RAMENDRA JAIN, J (ORAL)

Instant petition under Section 340 read with Section 482 Cr.P.C has been filed by the complainant-Dalbir Singh to prosecute respondent Nos.4 to 7 for furnishing false and frivolous documents before this Court in CRM-M 27058 of 2013.

Learned counsel for the petitioner contends that by producing false date of Birth Certificate and claiming him juvenile, respondent No.4- Gurjant Singh @ Janta obtained regular bail from this Court vide order dated 24.09.2013 (Annexure P.6) in CRM-M 27058 of 2013 in connivance with respondent Nos.5 to 7, therefore, respondent Nos.4 to 7 should be prosecuted under Section 340

Cr.P.C.

On the other hand, learned counsel for respondent Nos.4 to 7 opposed the submission of learned counsel for the petitioner.

After giving my thoughtful consideration to the submissions made by both the sides, I find that the instant petition is devoid of any merit, inasmuch as respondent No.4 did not forge any Birth Certificate to show him a minor on the date of incident. He simply produced the School Certificate in which he was studying, wherein his date of birth was mentioned as 06.10.1995 and on the basis thereof, he was granted bail by the Principal Magistrate of the Juvenile Justice Board and after cancellation, respondent No.4 was granted regular bail by this Court in aforesaid CRM-M 27058 of 2013. There is no iota of evidence on record to show that the petitioner ever forged the School Certificate upon which he had relied upon. More so, the status report, in compliance of order passed in CRM-M-27058 of 2013, duly signed by Davinder Singh Sandhu, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran lying on the file shows that the School Certificate produced by respondent No.4 was certified to be genuine by the owner of the School i.e Bhupinder Singh as well as the mother of the petitioner.

In view of the above, instant petition being devoid of any merit, is hereby dismissed.

September 26, 2017
manoj

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No