

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

120

CRM-M-20802 of 2019

Date of decision: 24.10.2019

Makhan Singh

... Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present : Mr.Neeraj Chandel, Advocate
for the petitioner.
Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

Harinder Singh Sidhu, J.

By way of filing this petition under Section 482 Cr.P.C., the petitioner has sought direction to respondent No.1 to 3 to register a case against private respondents under Section 10/11 of the Child Marriage Restraint Act, 2006 as well as for forging the date of birth certificate of respondent No.4.

The case of the petitioner is that respondent No.4 solemnized marriage with the daughter of the petitioner by forging his Adhaar card. Respondent No.4 was actually minor at the time of marriage. But by forging the Adhaar card, he changed his date of birth to indicate that he was major. Thereby, he got the marriage registered.

Earlier, the petitioner had filed CRM-M-11000 of 2018 before this Court, seeking similar relief as prayed for in this petition. The said petition was disposed of by this Court on 22.3.2018 by relegating the petitioner to the remedy of approaching the Judicial Magistrate having jurisdiction over Police Station Sadar, Fazilka District Fazilka by filing complaint under Section 156(3) Cr.P.C. The present petition in which identical relief, has been sought, is not maintainable.

It is not disputed that the petitioner has already filed a complaint which is pending before the ACSJ, Fazilka.

The petitioner may pursue his remedy before the Judicial Magistrate. It is expected that endeavour would be made by the concerned Judicial Magistrate to decide the complaint expeditiously.

Petition stands disposed of.

24.10.2019

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**[HARINDER SINGH SIDHU]
JUDGE**

Whether speaking/reasoned

: Yes/No

Whether Reportable

: Yes/No