



IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH

228

CWP-18222-2020

Date of Decision: 18.07.2024

JASMEET KAUR

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

\*\*\*\*

Present: Mr. A.S. Baweja, Advocate for  
Mr. H.S. Sirohi, Advocate for  
the petitioner.

Ms. Akshita Chauhan, DAG, Punjab  
for respondents No.1 to 5.

Respondents No.6 to 10 already *ex-parte*.

\*\*\*\*

**VINOD S. BHARDWAJ, J. (ORAL)**

Prayer in the present petition is for directing the respondents No.2 to 5 to inquire into the alleged offences committed by respondents No.6 to 10 with regard to forgery of documents in the name of Satnam Singh- deceased husband of the petitioner who died on 25.11.1993 and using the same to grab properties of the petitioner.

Learned counsel for the petitioner contends that the respondents No.6 to 10 have prepared false passport and pension papers to claim the dependent pension to prejudice her rights. He refers to death certificate of Satnam Singh attached as Annexure P-1 as per which he died on 25.11.1993 and also to the Annexure P-2 i.e. the birth certificate of Lovepreet Kaur, wherein the name of her father is mentioned as Dilbag Singh and her date of birth as 01.06.1995. Subsequently, in the record of Punjab School Education Board, the name of the



father of Lovepreet Kaur has been changed to Satnam Singh and the date of birth has been mentioned as 01.06.1996. He contends that once the original birth certificate shows the date of birth as 01.06.1995, there was no occasion for change of the date of birth in the school certificate to 01.06.1996 and in any case, once the death certificate of Satnam Singh showed that he had died on 25.11.1993, there was no occasion that Lovepreet Kaur could have been born from the loins of Satnam Singh after a gap of more than two and half years of his death. He contends that notwithstanding the apparent forgery that has crept into the record, respondents No.1 to 5 chose not to look into the documentary evidence and merely brushed aside the complaint submitted by the petitioner on the ground that the dispute is civil in nature. He contends that civil dispute apart, the apparent preparation of bogus/forged documents to cause prejudice to the rights of the petitioner ought to have been looked into.

Learned State Counsel, on the other hand, reiterates her reliance on paragraph No.5 of the preliminary submissions of the written reply filed by respondents No.1 to 5 and contends that all these aspects are disputed questions of facts pertaining to civil rights over the property of Satnam Singh and the representation/complaint submitted by the petitioner has already been inquired into by the police. She submits that the petitioner, if she is not satisfied with the final outcome of the inquiry, may move an appropriate complaint before the Illaqa Magistrate for seeking initiation of appropriate proceedings.

She further contends that the petitioner could not be contacted by the SHO concerned, whereas, one affidavit of Baba Balkar Singh has been furnished by respondent-Daljit Kaur in relation to solemnization of her marriage with



Satnam Singh on 24.06.1990. It is further averred in paragraph No.9 of preliminary submissions of the reply filed by respondents No.1 to 5 that in the event of the petitioner approaching the respondents No.1 to 5 with all documents in support of her allegations/contentions, they would be willing to look into the same.

Further, despite service, respondents No.6 to 10 chose to abstain from joining the proceedings in the present case and as such, they were ordered to be proceeded against *ex-parte* vide order dated 04.05.2023. The matter was nonetheless adjourned to enable moving of any application on behalf of respondents No.6 to 10. Since none had entered appearance on behalf of the said respondents on subsequent dates i.e. 14.09.2023 and 08.02.2024, hence, the matter was finally adjourned for today for arguments. No one has entered appearance on behalf of the said respondents today as well. Further wait is not justified.

I have heard the learned counsel for the respective parties and have also gone through the documents appended alongwith the present petition with their able assistance.

Although it is not in dispute that there are certain issues that would require appropriate declaration, if any, on the part of the petitioner for seeking preservation of her civil rights, however, it is evident that there is some element of discrepancy in the birth certificate as well as record of the school, not only in relation to the date of birth but also in relation to change of parentage. The respondents have failed to look into the said aspects and have not commented on the same in any manner and have just passed shallow remarks regarding the

**CWP-18222-2020****-4-**

same. The circumstances in relation to creation of the said documents, showing different parentage and different date of birth notwithstanding the death certificate of Satnam Singh is an issue that would have given rise to some reasons for investigation into the documents and to ascertain as to whether any forged documents have been prepared and any benefits have been drawn on the strength of such forged documents or not. Apparently, no steps have been taken by the police to even verify the genuineness of the documents that have been placed on record by the petitioner or to ascertain the claim of the respondents.

Under the given circumstances, the present writ petition is disposed with a direction to the Senior Superintendent of Police, Rural, District Amritsar to look into the grievance espoused by the petitioner and to depute a competent police officer to inquire into the same.

The petitioner shall appear before the Senior Superintendent of Police, Rural, Amritsar on 08.08.2024, whereupon the documents to be furnished by the petitioner shall be taken by him and an inquiry into the allegations be conducted by competent senior officer of the police.

Petition stands disposed of accordingly.

**JULY 18, 2024**  
*rajender*

**(VINOD S. BHARDWAJ)**  
**JUDGE**

*Whether speaking/reasoned* : Yes/No

*Whether reportable* : Yes/No