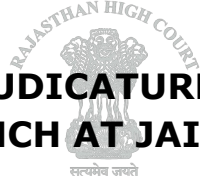


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous (Petition) No. 5437/2019

Jagdish Son of Shri Hari Mohan Kachhi, Aged About 64 Years,
Resident of Gomti Colony, Karauli, District Karauli (Rajasthan)

----Complainant/Petitioner

Versus

1. State of Rajasthan, through PP
2. Neeraj Son Of Govind, Aged About 18 Years, Resident Of Gomti Colony, Karauli, District Karauli (Rajasthan).
3. Guddi @ Radha Wife Of Govind, Aged About 42 Years, Resident Of Gomti Colony, Karauli, District Karauli (Rajasthan).
4. Rinki Daughter Of Govind, Aged About 20 Years, Resident Of Gomti Colony, Karauli, District Karauli (Rajasthan).
5. Sapna Daughter Of Govind, Aged About 16 Years, Resident Of Gomti Colony, Karauli, District Karauli (Rajasthan).
6. Reena Daughter Of Govind, Aged About 14 Years, Resident Of Gomti Colony, Karauli, District Karauli (Rajasthan).
7. Smt. Gullo Wife Of Mangi Lal, Aged About 72 Years, Resident Of Chhatpada, Karauli, District Karauli.
8. Gopal Son Of Non Known, Aged About 60 Years, Resident Of Behind Court, Gularghata Karauli.
9. Hari Son Of Mangi Lal, Aged About 45 Years, Resident Of Chhatpada, Karauli, District Karauli.
10. Babu Son Of Mangi Lal, Aged About 50 Years, Resident Of Chhatpada, Karauli, District Karauli.
11. Sonu Son Of Babu, Aged About 24 Years, Resident Of Chhatpada, Karauli, District Karauli.
12. Monu Son Of Hari, Aged About 22 Years, Resident Of Chhatpada, Karauli, District Karauli.
13. Mamta Wife Of Babu, Aged About 48 Years, Resident Of Chhatpada, Karauli, District Karauli.
14. Gopali Wife Of Hari, Aged About 43 Years, Resident Of Chhatpada, Karauli, District Karauli.
15. Mohani Daughter Of Hari, Aged About 22 Years, Resident

Of Chhatpada, Karauli, District Karauli.

16. Not Known Son Of Gopal, Aged About 24 Years, Resident Of Gularghata Karauli, District Karauli.

17. Not Known 4 And 5 Persons.

-----Non-petitioners

For Petitioner(s) : Mr. Rajneesh Gupta with
Mr. Rahul Sharma &
Mr. Mahaveer Sharma

For Respondent(s) : Mr. Manvendra Singh Shekhawat, PP

HON'BLE MR. JUSTICE ANAND SHARMA

Order

13/11/2025

1. Petitioner has filed this present criminal miscellaneous petition against order dated 14.02.2019 passed by the Chief Judicial Magistrate, Karauli (Raj.), whereby negative final report submitted by the police authorities in respect of FIR No.191/2016 registered at Police Station Karauli, District Karauli has been accepted by rejecting the protest petition submitted by the complainant-petitioner. Learned counsel is also aggrieved by order dated 10.07.2019 passed by the Court of learned Additional District and Sessions Judge, Karauli (Raj.), whereby revision petition filed by the petitioner against order dated 14.02.2019 has been dismissed.

2. Learned counsel for the petitioner submits that the police authorities submitted negative final report without considering the relevant documents for the purpose of determining age of the girls, who were married before attaining the age of majority by the accused-respondents and merely birth certificate was relied, whereas the SR register of the school copy

of which was filed by the petitioner along with the protest petition has not been taken into consideration. While pressing his protest petition, statement under Section 200 & 202 of Cr.P.C. were also recorded, which also reveals that as per SR register of the school, the girls were minor at the time of marriage. However, ignoring such contentions and specific statements by the complainant, negative final report was wrongly accepted by the trial Court and the revision petition filed by the petitioner has also been dismissed by the revisional Court without appreciating the jurisdictional error committed by the trial Court.

3. Learned Public Prosecutor opposed this petition and submitted that as per Section 94 of the Juvenile Justice (Care and Protection of Children) Act, 2015, for the purpose of determining age in the cases where certificate of meticulous examination is not there, the prosecution agency as well as Court can take into consideration birth certificate issued by the Registrar of Birth and Death and in the instant case, as per the birth certificate both the girls were major at the time of marriage and accordingly, after examining the relevant documents with regard to age, negative final report was filed by the police authorities which has rightly been accepted by the learned Court below.

4. In this petition, the petitioner has utterly failed to point out any manifest illegality or irregularity or jurisdictional error in the order of the trial Court, therefore, revisional Court has also not committed any error in dismissing the revision petition filed by the petitioner.

5. Heard and considered.

6. The dispute in this case revolves around the facts, where two girls were married in a community group marriage programme for which allegation was levelled that on the date of marriage they were minors and had not attained the age of majority as per Hindu Marriage Act. The record reveals that birth certificate of one girl and transfer certificate of another girl was taken into consideration which is in consonance with the relevant provisions of law.

7. In this protest petition or even in the statements under Section 200 & 202 of Cr.P.C., no conclusive proof to negate the proof of age submitted by the parents of the girls was placed on record by the accused-petitioner. Hence, the protest petition has rightly been rejected by the trial Court. Revisional Court has also appreciated the entire record as well as provisions of law and has committed no fault whatsoever in rejecting the revision petition.

8. The petitioner has failed to point out any legal ground for interference in the instant petition, therefore, the same is hereby dismissed.

(ANAND SHARMA),J