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

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Date of Decision : 09.01.2024

Deepak Kumar

..... Petitioner

Versus

Union of India and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr.Sanjiv Kumar Aggarwal, Advocate and  
Mr. Ojas Bansal, Advocate  
for the petitioner.

Mr. Indresh Goel, Sr. Panel Counsel  
for the respondents.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of order dated 26.03.2022 (Annexure P-7) whereby the respondent has cancelled his appointment letter.

2. The father of the petitioner joined Indo Tibetan Border Police Force (ITBP) as Constable in 1989. He passed away in harness in 1996. The petitioner in 2012 filed an application seeking appointment on compassionate ground which came to be rejected on the ground of his age. An FIR No.93 dated 24.04.2018 under Sections 328, 363, 366A, 376, 506 IPC and Section 4 of POCSO Act, 2012 at Police Station Cheeka, District Kaithal came to be registered against the petitioner. The petitioner vide judgment dated 24.07.2019 passed by Additional Sessions Judge, Kaithal

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was acquitted from all charges. The respondent issued appointment letter dated 06.01.2022 in favour of the petitioner. The petitioner pursuant to appointment letter appeared before competent authority on 21.01.2022. The petitioner vide letter dated 21.01.2022 disclosed the fact that he was implicated in a criminal offence and he was later on acquitted. On the basis of said disclosure, respondent issued show cause notice dated 22.02.2022 calling upon the petitioner to show cause as to why his offer of appointment in the ITBP force should not be cancelled. The relevant extracts of the show cause notice read as :

*“2 As per above mentioned offer of appointment you had presented yourself on 21.01.2022 in this centre for appointment on the post of constable (G.D.). Thereafter as per the terms and conditions of letter no. 73-76 dated 06.01.2022 (offer of appointment) you had informed this office vide letter dated 27.01.2022 that a case under Section 328, 363, 366-A, 506 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 was registered against you in the Hon'ble Court of Additional Sessions Judge, Kaithal, Haryana and the above Hon'ble Court had acquitted you on 24.07.2019 and produced copy of the judgment/documents in this regard.*

*3. The above mentioned documents/ papers pertaining to the above criminal matter were properly perused regarding your candidature in ITBP Force.*

*4. For appointment in Central Armed Police Forces (means the persons against whom criminal cases are registered or under trial/ under inquiry), the Home Ministry (Govt. of India) vide letter no. 1-45020/6/2010-*

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*Pers.-II dated 01.02.2012 and correction letter no. 1-45020/6/2010-Pers.-11-216 dated 16.07.2020 had issued policy. In pretext of above policy a case under Section 328, 363, 366-A and Section 376 IPC was registered against you in the past and as per the provisions of the above policy the case against you (Under Section 328, 363, 366-A and Section 376 IPC) have been kept in the category of serious offences. Hon'ble Court of Additional Sessions Judge, Kaithal (Haryana) vide judgment dated 24.07.2019 had acquitted you giving you benefit of doubt, in this situation as per para no. 2(ii) and para no. 2(v) of the above policy the candidate comes in the category of disqualification. In the above background, you cannot be given appointment in ITBP Force. Therefore, after considering and analysing the material facts under consideration the conclusion is as to why the offer of appointment to you in the ITBP Force should not be cancelled ?”*

3. The petitioner filed reply to aforesaid show cause notice. The respondent vide order dated 26.03.2022 (Annexure P-7) cancelled appointment letter on the ground that the petitioner was acquitted extending benefit of doubt, thus, in terms of instructions dated 01.02.2012 issued by Ministry of Home Affairs, the petitioner cannot be retained in the force. The relevant extracts of the order dated 26.03.2022 (Annexure P-7) are reproduced as below :

*“4. In this regard after informing the above applicant a show cause notice bearing No. 2162-65 dated 22.02.2022 was issued by this office to him and it was clearly mentioned that you have to reply to that notice to this office within fifteen days, in whose reply the above applicant submitted his side/reply dated 07.03.2022 in*

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*this office, which is not satisfactory, therefore, as per Home Ministry (GOI) letter No. 1- 45020/6/2010- Pers.- II dated 01.02.2012 and correction letter no. 1- 45020/6/2010-Pers.-II-216 dated 16.07.2020 and para no. 2 (iii) and para no. 2 (V) provisions and keeping in view those directions and the fact that the applicant was acquitted giving him benefit of doubt by Honourable court of learned Addl. Session Judge, Kaithal (Haryana) vide judgment dated 24.07.2019, the applicant is not fit for appointment at present in ITBP Force ”*

4. Learned counsel for the petitioner submits that the petitioner was appointed on compassionate ground. The petitioner was implicated in an offence punishable under Section 4 of POCSO Act. The prosecutrix as well as her mother categorically disclosed that the petitioner has not committed alleged offence. The trial Court even recorded finding to the effect that the prosecution has failed to prove age of the prosecutrix which is necessary to invoke provisions of POCSO Act. The respondent has cancelled appointment letter of the petitioner on the ground that the petitioner was involved in an offence of moral turpitude and he has been acquitted on the ground of benefit of doubt. There is no concept of honourable acquittal and this fact has been duly considered by a Division Bench of this Court in **Bhag Singh vs. Punjab & Sind Bank Baldev Singh, 2005 (6) SLR 464** as well as Hon'ble Supreme Court in **Joginder Singh vs. Union Territory of Chandigarh, 2015 (2) SCC 377**. The Supreme Court in the said case adverted with appointment of the appellant on the post of Constable. There was no concealment of the fact on the part of petitioner, thus, judgment of Hon'ble Supreme Court in **Satish Chandra Yadav vs. Union of India and Ors., 2023 (7) SCC 536** is not applicable.

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5. Per contra, learned counsel for the respondents submits that the petitioner has not challenged validity of instructions dated 01.02.2012 issued by Government of India and as per instructions, if there is acquittal on the ground of benefit of doubt or where witnesses have turned hostile, a candidate shall generally not be considered suitable for appointment in Armed Forces. The petitioner, concededly, at his own disclosed criminal proceedings against him, however, the petitioner was not honourably acquitted. The trial Court extended benefit of doubt as prosecutrix and her mother did not support case of the prosecution. The petitioner was involved in an offence of moral turpitude, thus, the respondent was quite competent to reject claim of the petitioner.

To buttress his contention, he places reliance upon the judgments of Hon'ble Supreme Court in Satish Chandra Yadav's case (supra) and The State of Madhya Pradesh and others vs. Bhupendra Yadav, in SLP (Civil) NO.27301 of 2018, decided on 20.09.2023.

6. I have heard the arguments of learned counsel for the parties and perused the record.

7. The conceded position emerging from the record is that the petitioner was issued appointment letter on 06.01.2022 and the said appointment was on compassionate ground. In the appointment letter, it was specifically mentioned that the petitioner would disclose status of litigation pending or initiated against him. The petitioner on his own disclosed that a criminal trial was instituted against him and he has been acquitted. The petitioner was issued show cause notice on the sole ground that the petitioner was involved in a criminal offence. The appointment letter of the petitioner has been cancelled on the sole ground that the

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petitioner has been acquitted extending benefit of doubt, thus, his case falls within four corners of instructions issued by Ministry of Home Affairs.

8. A three-Judge Bench of Supreme Court in *Avtar Singh vs. Union of India, (2016) 8 SCC, 471* has adverted with question of appointment of a candidate who was/is involved in a criminal case. The Court after noticing plethora of judgments has culled out legal position as below:

*38. We have noticed various decisions and tried to explain and reconcile them as far as possible. In view of the aforesaid discussion, we summarise our conclusion thus:*

*38.1. Information given to the employer by a candidate as to conviction, acquittal or arrest, or pendency of a criminal case, whether before or after entering into service must be true and there should be no suppression or false mention of required information.*

*38.2. While passing order of termination of services or cancellation of candidature for giving false information, the employer may take notice of special circumstances of the case, if any, while giving such information.*

*38.3. The employer shall take into consideration the government orders/instructions/rules, applicable to the employee, at the time of taking the decision.*

*38.4. In case there is suppression or false information of involvement in a criminal case where conviction or acquittal had already been recorded before filling of the application/verification form and such fact later comes to knowledge of employer, any of the following recourse appropriate to the case may be adopted:*

*38.4.1. In a case trivial in nature in which conviction had been recorded, such as shouting slogans at young age or for a petty offence which if disclosed would not*

*have rendered an incumbent unfit for post in question, the employer may, in its discretion, ignore such suppression of fact or false information by condoning the lapse.*

*38.4.2. Where conviction has been recorded in case which is not trivial in nature, employer may cancel candidature or terminate services of the employee.*

*38.4.3. If acquittal had already been recorded in a case involving moral turpitude or offence of heinous/serious nature, on technical ground and it is not a case of clean acquittal, or benefit of reasonable doubt has been given, the employer may consider all relevant facts available as to antecedents, and may take appropriate decision as to the continuance of the employee.*

*38.5. In a case where the employee has made declaration truthfully of a concluded criminal case, the employer still has the right to consider antecedents, and cannot be compelled to appoint the candidate.*

*38.6. In case when fact has been truthfully declared in character verification form regarding pendency of a criminal case of trivial nature, employer, in facts and circumstances of the case, in its discretion may appoint the candidate subject to decision of such case.*

*38.7. In a case of deliberate suppression of fact with respect to multiple pending cases such false information by itself will assume significance and an employer may pass appropriate order cancelling candidature or terminating services as appointment of a person against whom multiple criminal cases were pending may not be proper.*

*38.8. If criminal case was pending but not known to the candidate at the time of filling the form, still it may have adverse impact and the appointing authority would take decision after considering the seriousness of the crime.*

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38.9. *In case the employee is confirmed in service, holding departmental enquiry would be necessary before passing order of termination/removal or dismissal on the ground of suppression or submitting false information in verification form.*

38.10. *For determining suppression or false information attestation/verification form has to be specific, not vague. Only such information which was required to be specifically mentioned has to be disclosed. If information not asked for but is relevant comes to knowledge of the employer the same can be considered in an objective manner while addressing the question of fitness. However, in such cases action cannot be taken on basis of suppression or submitting false information as to a fact which was not even asked for.*

38.11. *Before a person is held guilty of suppressio veri or suggestio falsi, knowledge of the fact must be attributable to him.”*

*(emphasis supplied)*

9. A two-judge Bench of Supreme Court in **Satish Chandra Yadav vs. Union of India and Ors., 2023 (7) SCC 536** has adverted with the question of appointment of a candidate against whom criminal case is pending/or was instituted. The Court has laid down guidelines as below :

93. *In such circumstances, we undertook some exercise to shortlist the broad principles of law which should be made applicable to the litigations of the present nature. The principles are as follows:*

93.1. *Each case should be scrutinised thoroughly by the public employer concerned, through its designated officials — more so, in the case of recruitment for the Police Force, who are under a duty to maintain order, and tackle lawlessness, since their ability to inspire public confidence is a bulwark to society's security.*

(See *Raj Kumar [State v. Raj Kumar, (2021) 8 SCC 347 : (2021) 2 SCC (L&S) 745]* )

93.2. Even in a case where the employee has made declaration truthfully and correctly of a concluded criminal case, the employer still has the right to consider the antecedents, and cannot be compelled to appoint the candidate. The acquittal in a criminal case would not automatically entitle a candidate for appointment to the post. It would be still open to the employer to consider the antecedents and examine whether the candidate concerned is suitable and fit for appointment to the post.

93.3. The suppression of material information and making a false statement in the verification form relating to arrest, prosecution, conviction, etc. has a clear bearing on the character, conduct and antecedents of the employee. If it is found that the employee had suppressed or given false information in regard to the matters having a bearing on his fitness or suitability to the post, he can be terminated from service.

93.4. The generalisations about the youth, career prospects and age of the candidates leading to condonation of the offenders' conduct, should not enter the judicial verdict and should be avoided.

93.5. The Court should inquire whether the authority concerned whose action is being challenged acted mala fide.

93.6. Is there any element of bias in the decision of the authority?

93.7. Whether the procedure of inquiry adopted by the authority concerned was fair and reasonable?

(emphasis supplied)

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10. The Supreme Court in *State of Madhya Pradesh and others vs. Bhupendra Yadav, 2023 SCC Online SC 1181* while dealing with similar controversy had held :

*24. The aforesaid aspects were rightly factored in by the appellant - State Government while issuing the communication dated 24th August, 2017<sup>8</sup> and declaring that the respondent was unfit for appointment to the said post. The yardstick to be applied in cases where the appointment sought relates to a Law Enforcement Agency, ought to be much more stringent than those applied to a routine vacancy. One must be mindful of the fact that once appointed to such a post, a responsibility would be cast on the respondent of maintaining law and order in the society, enforcing the law, dealing with arms and ammunitions, apprehending suspected criminals and protecting the life and property of the public at large. Therefore, the standard of rectitude to be applied to any person seeking appointment in a Law Enforcement Agency must always be higher and more rigorous for the simple reason that possession of a higher moral conduct is one of the basic requirements for appointment to a post as sensitive as that in the police service.*

11. In the case in hand, the entire case of the respondent is based upon paragraph 2(v) of instructions dated 01.02.2012 issued by Ministry of Home Affairs. The said paragraph reads as :

*“V. Notwithstanding the provisions of 3(III) above, such candidates against whom chargesheet in a criminal case has been filed in the court and the charges fall in the category of serious offences or moral turpitude, though later on acquitted by extending benefit of doubt or acquitted for the reasons that the witness have turned*

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*hostile due to fear of reprisal by the accused person(s), he/she will generally not be considered suitable for appointment in the CAPF. The details of crimes which are serious offences or involve moral turpitude are at Annexure 'A', However, cases in which the criminal court, while acquitting, has categorically mentioned that the criminal case would not be a bar on appointment in Government Services, the candidate shall be considered for appointment in the concerned CAPF”*

*(emphasis supplied)*

12. From the perusal of above paragraph, it is quite evident that despite acquittal a candidate may not be considered suitable for appointment in Armed Forces where acquittal is based upon benefit of doubt or witnesses have turned hostile.

13. In a recent judgment, Supreme Court in **Ram Lal vs. State of Rajasthan, 2023 SCC Online SC 1618** has held that Courts are supposed to look into the judgment of acquittal while adjudicating departmental proceedings. The relevant extracts of the judgment read as :

*“28. Expressions like “benefit of doubt” and “honorably acquitted”, used in judgments are not to be understood as magic incantations. A court of law will not be carried away by the mere use of such terminology. In the present case, the Appellate Judge has recorded that Exh. P-3, the original marksheet carries the date of birth as 21.04.1972 and the same has also been proved by the witnesses examined on behalf of the prosecution. The conclusion that the acquittal in the criminal proceeding was after full consideration of the prosecution evidence and that the prosecution miserably failed to prove the charge can only be arrived at after a reading of the judgment in its entirety. The court in*

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*judicial review is obliged to examine the substance of the judgment and not go by the form of expression used.”*

14. A Division Bench of this Court in *Bhag Singh's case (supra)* has adverted with question of acquittal, honorable acquittal, benefit of doubt etc. The Court has held that mere use of expression “benefit of doubt” or “not proved beyond reasonable doubt” by the trial Court or the appellate Court, cannot be permitted to convert an acquittal on the ground of no evidence, to something less than that. The concepts of “Honourable Acquittal”, “fully exonerated” or “acquitted of blame” are all unknown to the Criminal Procedure Code, 1973. Therefore, the term “benefit of doubt” cannot detract impact of the acquittal.

15. A two-judge Bench of Hon'ble Supreme Court in *Joginder Singh's case (supra)* while adverting with appointment on the post of Constable has adverted with question of acquittal vis-a-vis honourable acquittal. The Court has held that acquittal of a person is an “honourable” acquittal in every sense and purpose. A candidate should not be deprived from being appointed to the post, in the public employment, by declaring him as unsuitable to the post even though he was acquitted in the criminal case registered against him. It is apt to notice that in the said case, the appellant therein was acquitted by trial Court still he was denied appointment to the post of Constable. In the said case like in the present case, there was no concealment of fact. The relevant extracts of the judgment read as :

*“16. However, adverting to the criminal proceeding initiated against the appellant, we would first like to point out that the complainant did not support the case*

*of the prosecution as he failed to identify the assailants and further admitted that the contents of Section 161 CrPC statement were not disclosed to him and his signatures were obtained on a blank sheet of paper by the investigating officer. Further, Sajjan Singh, who was an eyewitness of the case, who was also injured, had failed to identify the assailants. Both the witnesses were declared hostile on the request of the prosecution.*

*17. The learned Additional Sessions Judge, Bhiwani held that the prosecution has not been able to prove in any way the allegations against the appellant. Thus, the learned Judge held that the prosecution had miserably failed to prove the charges levelled against the appellant in the criminal proceedings. Therefore, we are in agreement with the findings and judgment of the learned Additional Sessions Judge and are of the opinion that the acquittal of the accused from the criminal case was an honourable acquittal.*

*18. The learned counsel has rightly placed reliance upon the decision of this Court in Inspector General of Police v. S. Samuthiram [(2013) 1 SCC 598 : (2013) 1 SCC (Cri) 5661 : (2013) 1 SCC (L&S) 229] of which relevant paragraph is extracted as under : (SCC p. 609, para 24)*

*“24. The meaning of the expression ‘honourable acquittal’ came up for consideration before this Court in RBI v. Bhopal Singh Panchal [(1994) 1 SCC 541 : 1994 SCC (L&S) 594 : (1994) 26 ATC 619] . In that case, this Court has considered the impact of Regulation 46(4) dealing with honourable acquittal by a criminal court on the disciplinary proceedings. In that context, this Court held that the mere acquittal does not entitle an employee to*

*reinstatement in service, the acquittal, it was held, has to be honourable. The expressions 'honourable acquittal', 'acquitted of blame', 'fully exonerated' are unknown to the Code of Criminal Procedure or the Penal Code, which are coined by judicial pronouncements. It is difficult to define precisely what is meant by the expression 'honourably acquitted'. When the accused is acquitted after full consideration of prosecution evidence and that the prosecution had miserably failed to prove the charges levelled against the accused, it can possibly be said that the accused was honourably acquitted."*

*(emphasis supplied)*

19. *Further, an acquittal of the appellant is an "honourable" acquittal in every sense and purpose. Therefore, the appellant should not be deprived from being appointed to the post, in the public employment, by declaring him as unsuitable to the post even though he was honourably acquitted in the criminal case registered against him.*

20. *Further, undisputedly, there has been no allegation of concealment of the fact that a criminal case was registered against him by the appellant. Thus, the appellant has honestly disclosed in his verification application submitted to the selection authority that there was a criminal case registered against him and that it ended in an acquittal on account of compromise between the parties involved in the criminal case, he cannot be denied an opportunity to qualify for any post including the post of a Constable.*

21. *Reliance has been placed on the decision of this Court in Deptt. of Home, A.P. v. B. Chinnam Naidu [(2005) 2 SCC 746 : 2005 SCC (L&S) 323] which states herein : (SCC p. 750, para 9)*

*“9. A bare perusal of the extracted portions shows that the candidate is required to indicate as to whether he has ever been convicted by a court of law or detained under any State/Central preventive detention laws for any offences whether such conviction is sustained or set aside by the appellate court, if appealed against. The candidate is not required to indicate as to whether he had been arrested in any case or as to whether any case was pending. Conviction by a court or detention under any State/Central preventive detention laws is different from arrest in any case or pendency of a case. By answering that the respondent had not been convicted or detained under preventive detention laws it cannot be said that he had suppressed any material fact or had furnished any false information or suppressed any information in the attestation form to incur disqualification. The State Government and the Tribunal appeared to have proceeded on the basis that the respondent ought to have indicated the fact of arrest or pendency of the case, though Column 12 of the attestation form did not require such information being furnished. The learned counsel for the appellants submitted that such a requirement has to be read into an attestation form. We find no reason to accept such contention. There was no specific requirement to mention as to whether any case is pending or whether the applicant had been arrested. In view of the specific language so far as Column 12 is concerned the respondent cannot be found guilty of any suppression.”*

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(emphasis supplied)

16. In the light of afore-cited judgments, it is imperative to look at foundation of the judgment of acquittal recorded by Additional Sessions Judge, Kaithal. The petitioner was implicated in an offence punishable under Section 4 of POCSO Act. The rigour of Sections 4 or 6 of POCSO Act can be invoked if the prosecutrix is less than 18 years old. The trial Court while passing judgment of acquittal specifically considered question of age of the prosecutrix and returned categorical finding to the effect that the prosecution has failed to prove that prosecutrix was below 18 years of age at the time of alleged occurrence. The relevant extracts of the judgment read as :

*“In the facts and circumstances of the case and in view of the law discussed above, Court is of considered view that prosecution has failed to prove that child victim was below 18 years of age at the time of alleged occurrence and accordingly, this question is answered against the prosecution. ”*

17. The Court has further adverted with question of commission of alleged offence. The prosecutrix as well as her mother deposed before the trial Court. In their deposition, both the witnesses did not support case of the prosecution. The deposition of the prosecutrix reads as :

*“Stated that I am student of Govt Senior Secondary School, Gulha road cheeka and student of 9 class. On 24.4.2018, at about 8:30 AM, I left my home to go to school. But on that day I went to Kurukshetra on my own and returned to my home at about 8 PM. Prior to my arrival, my mother had made a complaint to the police regarding my missing from school. I have seen accused Deepak @ Deepi present in court today.*

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*Neither, he allured me nor took me on his motorcycle to village Pollar nor he committed any wrong act with me."*

18. From the above cited judgments, the following principles which shed light on the issue in hand are culled out as below :

(i) If acquittal had already been recorded in a case involving moral turpitude extending benefit of reasonable doubt, the employer may consider all relevant facts available as to antecedents and may take appropriate decision as to the continuance of the employee.

(ii) In case where the employee has made declaration truthfully of a concluded criminal case, the employer still has right to consider antecedent and cannot be compelled to appoint the candidate.

(iii) Yardstick to be applied in cases where appointment sought relates to a law enforcement agency ought to be more stringent than those applied to a routine vacancy.

In the case in hand, the petitioner has voluntarily and truthfully disclosed factum of concluded criminal case, thus, there was no concealment on the part of the petitioner. The petitioner was issued appointment letter on compassionate ground. The petitioner was implicated in an FIR in April' 2018 and at that point of time, he was 23 years old. The petitioner was implicated in an offence punishable under Section 4 of POCSO Act, 2012 apart from different sections of IPC. The prosecutrix as well as her mother did not support case of the prosecution. The Trial Court has recorded a finding that prosecution has failed to prove that prosecutrix was minor at the time of alleged offence. The prosecutrix in her deposition before Court denied commission of alleged offence by the petitioner. In view of these facts and findings, the Trial Court acquitted the petitioner. In

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view of above cited principles, the respondent was not bound to continue the petitioner.

19. The respondent is heavily relying upon instructions dated 01.02.2012 issued by Ministry of Home Affairs. As per instructions, if there is acquittal, a candidate who was implicated in an offence of moral turpitude, may or may not be appointed in the Armed Forces. In the instructions, the expression “generally” has been used which shows that there is no absolute bar on the appointment where acquittal is on the ground of benefit of doubt. The competent authority in such cases can consider case of a candidate.

In the present case, the respondent has not examined antecedents of the petitioner and his appointment letter has been cancelled on the sole ground that he was acquitted on the benefit of doubt. The respondent has not considered nature of alleged offence, age of the petitioner and age of the prosecutrix at the time of alleged offence. The petitioner is not involved in any other offence and he has already been acquitted. He had made truthful disclosure of concluded trial.

20. It is well known fact that in our country, it is very difficult to get job especially Government job. The petitioner got selected for the post of Constable with the respondent-department. The appointment is neither fundamental nor vested right of the petitioner, however, matter needs to be examined in totality. The denial of appointment to the petitioner ignoring that he was always *bonafide* and honest in disclosing his credentials would amount to indirect punishment for an offence in which he has been acquitted.

21. This Court considering the judgment of a Division Bench of

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this Court in *Bhag Singh's case (supra)*, Supreme Court in *Joginder Singh's case (supra)* and *Ram Lal's case (supra)* is of the considered opinion that there was acquittal of the petitioner and respondent though was not bound to continue petitioner in the service yet being public authority was duty bound to thoroughly examine case of the petitioner. The appointment letter of the petitioner could not be mechanically cancelled. The respondent has not examined antecedents of the petitioner in totality. The respondent being public authority and in view of truthful disclosure coupled with his acquittal, was duty bound to consider age of the petitioner at the time of alleged offence, previous and subsequent history of the petitioner as well as other antecedents. The respondent has mechanically applied instructions of Ministry of Home Affairs and cancelled appointment letter.

22. In the wake of above facts and findings, the present petition deserves to be allowed and accordingly allowed. The impugned order dated 26.03.2022 (Annexure P-7) is hereby quashed and the respondents are directed to consider case of the petitioner for appointment within 04 weeks from today.

( JAGMOHAN BANSAL )  
JUDGE

09.01.2024

*anju*

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>