

Court No. - 40

Case :- WRIT - C No. - 41353 of 2023

Petitioner :- Harish Kumar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Awadh Narain Rai, Rajesh Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Surendra Singh-I, J.

1. Heard learned counsel for the petitioner and Ms. Arushi Dubey, learned Standing Counsel for the State-respondents.

2. This writ petition is preferred for following principal relief:

"(i) Issue a writ order or direction in the nature of mandamus directing the Superintendent of Police, District Sonbhadra to issue character certificate to the petitioner for submitting before respondent No.2 by passing appropriate order, in interest of justice accordance with law."

4. The case of the petitioner is that the petitioner has been selected in Department of Yuva Kalyan Evam Prantiya Rakashak Dal Vibhag, Uttar Pradesh, Lucknow. He applied for issuance character certificate, which was rejected on the ground that against the petitioner, a First Information Report No.0060 under Sections 323, 504, 325 I.P.C., P.S. Myorpur in Case Crime No.1886/2019, has been lodged and trial of the said case is pending.

5. Learned counsel for the petitioner states that trial of the aforesaid case crime has now been concluded on the basis of confession made by the petitioner and a fine of Rs.1000/- was imposed by order dated 11.07.2023. He further states that as crime involved in the aforesaid case is not heinous in nature, therefore, Superintendent of Police, Sonbhadra - respondent No.3 may be directed to issue character certificate to the petitioner.

6. Considering the facts and circumstances of the case, we are not inclined to keep the writ petition pending consideration as nature of the crime of the aforesaid case is not so heinous that character certificate may not be issued. Accordingly, we direct the Superintendent of Police, Sonbhadra - respondent No.3 to process the application of the petitioner within a week's time from the date of production of a certified copy of this order.

7. With the aforesaid observations, the writ petition is **disposed of**.

Order Date :- 7.12.2023

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