

Civil Writ Petition No. 6692 of 2020

Date of Decision: March 17, 2020

Jaswinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Narinder Singh Dadwal, Advocate
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

Lisa Gill, J.

This writ petition has been filed seeking issuance of directions to respondents No. 3 to 5 to issue pre-verification Certificate/Police Clearance Certificate to the petitioner, who has been selected as Sepoy in the Indian Army and has to report for training on 18.03.2020.

Learned counsel for the State was directed to seek instructions this respect.

Learned counsel for the State, on instructions from SI Vinod Kumar, submits that the petitioner is named as an accused in FIR No. 62 dated 18.06.2019 registered under Sections 324, 323, 506, 148, 149 IPC, therefore, the pre-verification certificate in the Form as reflected in Annexure P8 could not be issued to the petitioner. However, the police authorities have no compunction in issuing pre-verification Certificate with a note appended thereto in respect to the pendency of the said FIR, which is still under investigation.

Though learned counsel for the petitioner submits that the columns mentioned in the proforma of the pre-verification Certificate do

not talk about the pendency of an FIR, therefore, there is no requirement of mentioning the same, in my considered opinion, this would not be the correct approach. The police officials are at liberty to mention the pendency of the FIR in question against the petitioner alongwith the stage of the same. Needless to say it is for the appointing authority to take into consideration the effect or otherwise thereof in accordance with law. The said certificate, it is assured by learned counsel for the State, would be issued today itself to the petitioner, in case, the petitioner comes present before the SHO, Police Station Halwara, Tehsil Jagraon, District Ludhiana alongwith the original documents as required. In this view of the matter, no further order is called for.

Present petition is, accordingly, disposed of. Needless to say the said pre-verification Certificate as above be issued to the petitioner subject to his presenting the required documents.

March 17, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No