



CWP-31309-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-31309-2025

Date of Decision:20.11.2025

RAMANPREET SINGH

...PETITIONER

VERSUS

THE STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

1. Instant writ petition has been filed, *inter alia*, for issuance of a writ in the nature of certiorari for quashing report, Annexure P-6, by which respondent No.3 has “not recommended” issuance of character certificate to petitioner.

2. Counsel for the petitioner submits that petitioner has been named as an accused in FIR bearing No.37 dated 12.06.2023 lodged under Section 306 IPC at Police Station Jhander, District Amritsar, Annexure P-1, in which the trial is pending and petitioner has been released on bail. Counsel states that petitioner is undergoing a selection process for recruitment as Agniveer (General Duty) and gave an application for grant of character certificate, which has been declined vide report, Annexure P-6, on the ground of pendency of the FIR. Counsel has placed reliance upon



judgment of Patna High Court in Civil Writ Jurisdiction Case No.349 of 2016, titled as **Pankaj Kumar Vs. The State of Bihar and others** decided on 26.08.2016, wherein it has been opined as under:-

“On consideration of the submissions, it appears that the respondent-District Magistrate vide (Annexure P-1), communicated to the petitioner about the pendency of the criminal case against him. The same fact can be incorporated in the format in which the Character Certificate is issued. The petitioner is satisfied, if the Character Certificate is issued in the shape it's granted incorporating the aforesaid fact of pendency of the criminal case against him.

Considering the above, this Court finds no difficulty in directing the respondent-District Magistrate to issue the Character Certificate in the shape it is generally provided stating or incorporating therein the pendency of the criminal case against the petitioner as reported by the respondent-Superintendent of Police, which has not been disputed by the petitioner before this Court.”

3. Upon notice, writ petition has been contested by respondents by filing a short reply. The sole objection taken by respondents is that as petitioner is involved in a criminal case, character certificate was not recommended. State counsel submits that besides petitioner, three other persons have also been named as an accused and after investigation, a final report has been presented under Section 173, Cr.P.C., but charge has not been framed.

4. After hearing counsel for the parties, this Court is of the considered view that judgment of Patna High Court is squarely applicable to

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the facts of the present case. Respondents cannot deny character certificate to petitioner merely because he has been named as an accused in a criminal case, where charges are yet to be framed.

5. In view thereof, report, Annexure P-6, is set aside. Direction is issued to the competent authority to re-examine the matter and consider grant of character certificate in the light of judgment passed by Patna High Court by incorporating the factum of pendency of criminal case. Needful be done within a fortnight from the date of communication of a copy of this order.

6. Writ petition is disposed of.

20.11.2025

*sheetal***(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No