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WA-3076-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 15th OF APRIL, 2026

WRIT APPEAL No. 3076 of 2025

UNION OF INDIA AND OTHERS

Versus

PUSHPRAJ SINGH

.....
Appearance:

*Shri Sunil Jain - Additional Solicitor General with Shri Piyush Bhatnagar -
Advocate for Appellant/Union of India.*

Shri Rohit Sohgaora - Advocate for respondent.
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ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

1. Appellant impugns order dated 24.07.2025, whereby the writ petition filed by the respondent seeking a direction to the appellant to issue an appointment order to the respondent for the post of the Trade of Soldier (General Duty) has been allowed.
2. In the year, 2018, appellant had issued an advertisement for open recruitment to various posts in the Ddefence Department. Respondent applied for recruitment. Respondent was successful in the physical and medical examination for the said Trade. Thereafter, he was permitted to take the Written Examination, which also the respondent qualified. However, at the time of verification. Respondent was not issued the



appointment order. As per respondent, he was informed that on account of his conviction in a criminal case, appointment order was not issued.

3. Respondent filed the subject Writ Petition contending that the offence, for which, respondent was involved was a trivial offence and in any event had been committed by him when he was a Juvenile and in terms of section 24 of Juvenile Justice (Care and Protection of Children) Act, 2015 (for short "Juvenile Justice Act"), there is no disqualification attached to the conviction of the said offence under any law.
4. Learned Single Judge has noticed that the allegations against the respondent in the criminal case were that he had uttered obscene words to the complainant and had assaulted the complainant with kicks and fists and also threatened him. Charges were framed against the respondent under Sections 294, 323, 34 and 506 of Indian Penal Code, 1860 (for short "IPC"). Respondent had pleaded guilty to the said charge and requested for being pardoned. The Juvenile Justice Board passed the final order dated 24.08.2018, convicting the respondent but imposing a fine of only Rs.1000/-. The Writ Court has noticed that the Juvenile Justice Board in its final order of conviction has referred to the provisions of the Juvenile Justice Act and held that the conviction will have no bearing on the future of the respondent.
5. The Writ Court has referred to the provisions of Section 24 of the Juvenile Justice Act as also to the judgment of the Delhi High Court in *Md. Parvej Alam Vs. Union of India*, 2024 SCC Online Del 1250, to



which, one of us (Sanjeev Sachdeva, J) was a party, where the Division Bench of Delhi High Court has held that keeping in view the legal position, the factum of prosecution of the juvenile could not be taken into consideration and mere omission to mention the same in the attestation form on account of status as a Juvenile in conflict with law on the date of commission of the alleged offence could not be overlooked and the beneficial provisions of the Juvenile Justice Act would be applicable to the Juvenile and the Juvenile was under no obligation to reveal the fact about his previous involvement in the criminal case for an offence which he committed when he was a minor.

6. The learned Single Judge has also referred to the judgment of the Supreme Court in *Union of India Vs. Ramesh Bishno*, (2019) 19 SCC 710, wherein the Supreme Court has held that a minor at the time of commission of the offence, even if convicted, nothing can be held against him as no stigma is attached to any crime committed by a Juvenile and the object of the legislation is to reintegrate Juvenile back into the society as a normal person and not to cast stigma and brand him as a criminal or as a person having delinquent mind.
7. Reference was also had to the judgment of the Supreme Court in *Lokesh Kumar Vs. State of Chhatisgarh* in SLP (Crl.) No.851 of 2025 order dated 18.02.2025, wherein the Supreme Court has held that the provisions of the Juvenile Act mandate that all past records of the Juvenile in conflict with law should be erased and it should not operate



as bar to the child's future, unless the alleged offences were within the specific exception.

8. The offences which were alleged against the respondent were in trivial nature under Sections 294, 506 and 323/34 of IPC and the respondent also immediately realised his mistake and sought for pardon. Respondent was sentenced only to a fine of Rs.1000/-. Furthermore, the Juvenile Justice Board has clearly held that the conviction of the respondent would not come in the way of the respondent in future.
9. We are in the full agreement with the view taken by the learned Single Judge that the said offences are trivial and not covered by the exception to the provisions of the Juvenile Justice Act. Mere conviction of the respondent would not be a bar to the respondent securing an employment and it would also not make any difference in case the respondent had not disclosed the same in his verification form.
10. We find no merit in the contention of the learned Additional Solicitor General appearing for the Union of India/Appellant that different parameters must apply since the respondent has applied for being enlisted in a Military Force. We note that the judgment referred by to learned Single Judge of the Division Bench of the Delhi High Court as well as the Supreme Court are cases, wherein the individual had sought employment in Para-Military Forces or Police Force. Furthermore, the Juvenile Justice Act does not carve out any exception with regard to the service to which the person is seeking an



employment. In terms of the Juvenile Justice Act, the entire records has to be sealed and erased and nothing done by a person when he was a Juvenile, unless covered by the exception, is to be an embargo in his future. The provisions of the Juvenile Justice Act are beneficial and for the purpose of giving an opportunity to the Juvenile to come back in the main stream and to have a fresh start in his future. Accordingly, we find no merit in the appeal. The appeal is consequently, dismissed.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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