

GAHC040003192025



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/88/2025

Gunter Ori

Son of Late Mogum Ori, permanent resident of Yigi Kaum Village, PO and PS Aalo,
West Siang District, Aalo, Arunachal Pradesh.

VERSUS

The State of AP and 5 Ors

represented by the Commissioner, Home, Govt of Arunachal Pradesh, Civil
Secretariat, Itanagar.

2:The Director General of Police

Age: 0

Occupation :

Itanagar

Govt of Arunachal Pradesh

PHQ-Chimpu

Itanagar.

3:The Assistant Inspector General of Police (E)

Age: 0

Occupation :

Police Headquarter

Itanagar

Govt of Arunachal Pradesh

PHQ Chimpu

Itanagar.

4:The Principal

Age: 0

Occupation :

Police Training Centre (PTC)

Banderdewa

Papum Pare District

Arunachal Pradesh.

5:The Superintendent of Police

Age: 0

Occupation :

West Siang District

Aalo

Arunachal Pradesh 791001

6:The Officer in Charge

Age: 0

Occupation :

Police Station Aalo

West Siang District

Aalo

Arunachal Pradesh 79100

Advocate for the Petitioner : Marto Kato, Yasmin Gao, Mepe Ete, Nyali Sora

Advocate for the Respondent : GA (AP),

**BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG**

ORDER

Date : 19-01-2026

Heard Mr. M. Kato, learned counsel for the petitioner. Also heard Ms. G. Ete, learned Addl. Senior Government Advocate for the State respondents.

2. The instant petition is filed assailing the impugned order dated 14.02.2025, wherein the offer of appointment of the petitioner to the post of Constable (civil police), has been cancelled without issuing any show cause notice, on the ground that two criminal cases was found registered against the petitioner.

3. The learned counsel for the petitioner submits that the petitioner by responding to the advertisement dated 29.06.2018, had applied for the post of

Constable (Civil Police) under sports quota and accordingly, the petitioner was selected vide Final Result Notification dated 11.07.2024. The respondent No. 3 had also issued an offer of appointment vide letter dated 16.09.2025 and the petitioner was directed to report to the Police Training Centre (PTC) Banderdewa on the date when the PHQ notifies for next training schedule. The letter also specifically mentioned that the formal appointment order shall be issued only after joining at PTC Banderdewa. Accordingly, the petitioner submitted his joining report to undergo the training on 13.01.2025. However, the respondent No. 4 refused to accept and admit the petitioner, wherein, he was verbally informed that the offer of appointment of the petitioner had been cancelled. The petitioner then went to the office of the respondent No. 2 to enquire for the reasons of the cancellation of his offer of appointment and was informed that there was a pending criminal case against him, for which his offer of appointment has been cancelled. The petitioner then obtained a "No Case Pending Certificate" dated 19.01.2025, issued by the Chief Judicial Magistrate-cum-Civil Judge (Sr. Division) Aalo, West Siang District and thereafter, submitted a representation to the respondents to allow him to join the Basic Training Course at PTC Banderdewa. However, the respondents issued the impugned letter dated 14.02.2025 and hence, the instant writ petition.

4. The learned counsel for the petitioner submits that though the petitioner admitted that two cases were registered against the petitioner in the year 2005 being Aalo PS Case No. 95/2005 under Section 452/392/342 IPC and Aalo PS Case No. 79/2006 under Section 325/34 IPC in the year 2006. However, at the time of the above incidents, the petitioner was aged 10 years and 11 years and was a juvenile as per Sub-section 35 of Section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015. He submitted that the petitioner's date of

birth as per his Birth Certificate is 30.12.1995 and as such, the petitioner is immune and is under protection from disclosure of his past criminal reports as per Section 24 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The learned counsel therefore prayed for setting aside the impugned order dated 14.02.2025, which is bad in law and against the interest of justice.

5. The learned counsel for the petitioner further submits that a Coordinate Bench of this court in WP(C) No. 25(AP)/2025 and WP(C) No. 612(AP)/2024, in a similar matter, had also set aside the termination orders, terminating the petitioners from their service, since the petitioners were juveniles at the time of the commission of the offences. The learned counsel submits that the instant case being a covered matter, a similar order may be accordingly passed.

6. Ms. G. Ete, learned Addl. Senior Government Advocate, in all fairness submits that since the instant writ petition is similar and covered by the Judgment of the co-ordinate Bench in WP(C) No. 25(AP)/2025 and WP(C) No. 612(AP)/2024 dated 19.12.2025, she has no objection if a similar order is passed.

7. On considering the submissions made by the learned counsels for both the parties, this court finds that the instant case is covered by the Judgment of a co-ordinate Bench of this court in WP(C) No. 25(AP)/2025 and WP(C) No. 612(AP)/2024 dated 19.12.2025, wherein the co-ordinate Bench of this court, by referring to the Judgment of the Apex Court in *Lokesh Kumar Vs. State of Chhattisgarh & Ors.* in Criminal Appeal No. 819/2025, wherein it was held "*that the protective mandate of Section 24 of the Juvenile Justice (Care and Protection of Children) Act, 2015 must be honored so that a juvenile's past record does not impede his adult life prospects*", had interfered with and set

aside and quashed the termination orders and directed the respondents to forthwith reinstate the petitioners to the services they were previous appointed.

8. This court thus finds that since it is not a disputed fact that the petitioner was a juvenile, aged 10 years and 11 years respectively when the Aalo PS Case No. 95/2005 under Section 452/392/342 IPC and Aalo PS Case No. 79/2006 under Section 325/34 IPC in the year 2006 was registered against him, finds that the petitioner is equally entitled to the protection given under Section 24 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and accordingly set aside and quash the impugned order dated 14.02.2025. The respondents are directed to forthwith reinstate the petitioner's service in view of the *Offer of Appointment for the post of Constable (Civil Police) under Sports quota dated 16.09.2025* and allowed him to undergo the training at Police Training Center (PTC) Banderdewa.

9. WP(C) No. 88(AP)/2025 thus stands allowed and disposed of.

JUDGE

Comparing Assistant