



# Acquittal by Benefit of Doubt

## Why in News

The [Supreme Court](#) has held that a **public employer can reject a candidate** as unsuitable if he/she had, in the past, been **acquitted of a serious crime merely on the benefit of doubt**.

- **Benefit of doubt is granted to the accused when there is total absence of evidence** or in the criminal jurisprudence requiring the case to be proved beyond reasonable doubt.

## Key Points

### ▪ Background:

- The Petitioner in the Supreme Court cleared the recruitment for the post of constable in Rajasthan Police Service.
- However, he was not appointed in view of being tried in a criminal case.
  - It was found that, though he was acquitted, the charges against him were not of a trivial nature but were serious offences and the candidate was acquitted on the “Benefit of Doubt”.
  - He was not honourably acquitted by the Court.

### ▪ Supreme Court Observations:

- The mere fact of an acquittal would not suffice but rather it would depend on **whether it is a clean acquittal**.
- Employers would be well within their rights to consider the antecedent and suitability of the candidate.
  - In this context, the employer is entitled to take into account the **job profile for which the selection is undertaken**, and
  - the **severity of the charge levelled** against the candidate and
  - whether the acquittal in question was an **honourable acquittal or was merely on the ground of benefit of doubt**.
- An acquittal on the benefit of doubt is quite different from an honourable acquittal.
  - A person **should be honourably acquitted of a heinous crime to be considered eligible for public employment**.
- The court, however, reminded employers that the **rejection should not be mechanical** since employment opportunity is a scarce commodity in the country.

## Honourable Acquittal And Acquittal by Extending the “Benefit of Doubt”

The trial court after giving due consideration to the evidence placed on record and examining the witness may do any of the following:

- Convict the person.
- **Acquit the person unconditionally**. In other words, it is **Honourable acquittal**.

- The term “Honorable acquittal” is nowhere defined under Indian laws and it is the **invention of Indian judiciary.**
- An accused who is acquitted after full consideration of the prosecution evidence and prosecution has miserably failed to prove the charges levelled against the accused.
- **Acquitting the person by extending the “benefit of doubt”** or due to the failure on the prosecution's side to prove the guilt “beyond reasonable doubt”.

[Source:TH](#)

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