

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.32252 of 2012

ORDER:

The grievance of the petitioner was that the Commissioner of Police and Additional District Magistrate, Visakhapatnam, rejected his request for extension of time to produce a new weapon (.32 Bore Pistol) to be purchased in the place of old weapon. The rejection was embodied in the proceedings dated 07.07.2012.

Perusal of the impugned proceedings reflects that the only ground for rejection of the petitioner's request for extension of time to produce his new weapon was his involvement in a pending criminal case, Crime No.78 of 2012 registered on the file of

III Town Police Station, Visakhapatnam. This case was registered under Section 420 I.P.C.

Sri K.Pradeep Reddy, learned counsel representing Sri Resu Mahender Reddy, learned counsel for the petitioner, states that the police authorities filed a final report under Section 173(2) Cr.P.C. in Crime No.78 of 2012 referring the case as 'civil in nature'. He therefore asserts that the ground for rejecting the petitioner's request for extension of time to produce his new weapon does not survive at this stage.

No doubt, the petitioner's arms licence would have expired by now. But, Rule 54(4) of the Arms Rules, 1962, provides for the Licensing Authority considering an application for renewal of the licence even at this late stage. That being so, it is for the petitioner to move appropriate applications before the authorities concerned, be it for renewal of his arms licence or for seeking extension of time to produce his new weapon.

Reserving liberty to the petitioner to do so, the writ petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Date:05.10.2015

GJ