

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No.12331 of 2012

Date of decision: 04.02.2015

Malkiat Singh son of Kabal Singh, resident of 932, opposite
Gurdwara Sagran, VPO Adampur, District Jalandhar.

... Petitioner

versus

State of Punjab through Home Secretary, Punjab, Punjab Civil
Secretariat, Punjab, Chandigarh, and others.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Balram Singh, Advocate,
for the petitioner.

Mr. Ranbir Singh Pathania, DAG, Punjab.

K.Kannan, J. (*Oral*)

1. The petitioner who had been denied the benefit of renewal of arms licence, is aggrieved that the impugned order refers to the petitioner's conviction as under Section 25/54/59 of the Arms Act as the cause for refusal. Evidently, there is a mistake in not referring to the appropriate legal provisions viz. Section 307 read with Section 506 IPC under which the petitioner was convicted. I set aside the order and remit it to the authority to pass appropriate order making reference to correct provisions and still consider whether the conviction suffered by the petitioner would require to be dealt with by a suspension or revocation of licence in the manner

contemplated under Section 17(7) of the Arms Act of 1959. The authority, while passing the order, shall also take into account the previous direction issued already by this court in CWP No.4809 of 2011, dated 17.03.2011.

2. The writ petition is disposed as above. The decision shall be taken and communicated to the petitioner within a period of 4 weeks from the date of receipt of copy of this order.

(K.KANNAN)
JUDGE

04.02.2015
sanjeev