

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4496 OF 2014

Adnan Ahmed Iqbal Ahmed	Petitioner
versus	
The State of Maharashtra and others	Respondents

Ms.Aisha Ansari for Petitioner.
Mrs.G.P.Mulekar, APP, for State.

CORAM : NARESH H. PATIL AND
PRAKASH D. NAIK, JJ.

DATE : 7th September 2016

PC :

1. The Petitioner applied for a license to possess a riffle. By an order dated 15 March 2014, the Collector and District Magistrate, Nashik rejected the application of Petitioner. The Petitioner preferred an appeal being Appeal No.3 of 2014 before Divisional Commissioner, Nashik Division against the order of Collector, Nashik. By an order dated 28 August 2014, the Divisional Commissioner, Nashik Division dismissed the application of Petitioner and confirmed the order of Collector, Nashik.

2. Learned advocate appearing for Petitioner states that Petitioner is a businessman. Every week he is required to make payment of lakhs of rupees to labours and workers. He is required to carry cash to his residence. His factory is away from his residence. Once he was attacked in the past. Therefore, he should be granted

permission for arms licence. It is submitted that the Collector and Divisional Commissioner have not considered the purpose and necessity of having a licensed weapon.

3. We have considered the arguments and provisions of Arms Act. We are not inclined to interfere into the impugned orders, as the matter pertains to the year of 2012. The Divisional Commissioner had given reasons for rejecting the application at the relevant time.

4. However, in case the Petitioner still desires to apply for license, then he is at liberty to make a fresh application to the authorities in appropriate prescribed form. If such an application is made, we direct the authorities concerned to deal with such application strictly in accordance with law and decide the application as expeditiously as possible.

5. We clarify that we have not expressed any opinion on the merits of the contentions raised by Petitioner. All issues are kept open. With this observation, petition stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)