

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

CRM-M-38258 of 2016.
Decided on:-25.10.2016.

Gurwinder Singh.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Ms. Supriya Garg, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for issuance of directions to the respondent No.2 to release the registered/licensed guns deposited by the petitioner in safe custody of Ajit Armoury, Arms and Ammunition Dealer, Cinema Road, Mansa.

Learned counsel for the petitioner contends that the petitioner has three licensed guns i.e. (i) N.P. 32 Bore Pistol No.R.P. 185132, (ii) N.P. 315 Bore, Rifle No.AB0812097 and (iii) DBBL 12 Bore No.28394. Since there was an FIR No.82 dated 3.9.2014 under Sections 341, 506, 427, 148 and 149 IPC registered against the petitioner at Police Station Kot Dharmu, District Mansa, the aforesaid weapons were deposited by the petitioner with

Ajit Armoury.

Learned counsel for the petitioner further contends that now the petitioner has been found innocent in the said FIR, but the weapons so deposited are not being released to the petitioner by Ajit Armoury in view of letter dated 22.9.2014 written by SHO concerned. The petitioner has also submitted a representation dated 3.9.2016 (Annexure P-6) to the SHO concerned, but no action thereon has been taken.

Notice of motion.

On asking of this Court, Mr. Gurinderjit Singh, DAG, Punjab accepts notice on behalf of the respondents.

Let requisite number of copies of paper book be given to learned State counsel during the course of the day.

Heard.

Without commenting upon the claim as projected by the petitioner, but considering the fact that the petitioner has already submitted a representation dated 03.09.2016 (Annexure P-6) to respondent No.2 i.e. SHO, Police Station, Kot Dharmu, District Mansa, the Senior Superintendent of Police, Mansa is directed to look into the contents of aforesaid representation within one month from the date of receipt of certified copy of this order and to act in accordance with law.

It is made clear that this Court is conscious of the fact that the said representation has not been addressed to the Senior Superintendent of Police concerned, but taking into consideration the competency of the Senior

Superintendent of Police, the direction is being given in the aforesaid manner.

Disposed of.

October 25, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No