

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

**CWP No.15938 of 2016 (O&M)
Date of decision : August 08, 2016**

Gurpreet Singh

..... Petitioner

Versus

Union of India and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amandeep Singh Cheema, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Petitioner had applied to the Government of India for prohibited bore licence on the basis of heirloom policy (Annexue P-1).

Learned counsel for the petitioner contends that the father of the petitioner was holder of prohibited bore licence. He expired in the year 2012. Thereafter, the petitioner, immediately, applied for the prohibited bore licence. The same was recommended by the State Government along with the original documents to the Government of India, Ministry of Home Affairs (Arms Section). However, vide order dated 18.05.2016 (Annexure P-3), the Government of India has declined to issue the licence and passed the following order:

“I am directed to refer to Government of Punjab's letter No.5/10(11)2012-4H2 dated 31/10/2012 on the subject cited above and to say that the applicant has no specific threat. He is therefore not eligible for grant of licence for PB weapon under family heirloom basis as per the existing guidelines of the MHA. The request of the applicant may not be acceded to.”

I am of the view that the State Government never reported about any specific threat to the life of the petitioner. The Union Government had followed the exiting guidelines of the Ministry of Home Affairs. The Government has the right and power to control the distribution of the licences of prohibited bores. It is not the law that in every case, where the father of the applicant was holding the prohibited bore licence, then the prohibited bore licence ought to be given to his legal heir also as a matter of right. The Government has the power of restricting the distribution of armed licences or scale down the licence of prohibited bore or non-prohibited bore.

Thus, there is no ground to interfere in the impugned order.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

August 08, 2016

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Whether speaking / reasoned Yes

Whether Reportable: No