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**\*IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 14.12.2016

+ W.P.(C) 10110/2015 & CM No. 27294/2015 & 7050/2016

TC SHARMA

..... Petitioner

versus

STATE OF NCT & ORS

..... Respondents

**Advocates who appeared in this case:**

For the Petitioner

: Mr. Tekchand Sharma, Adv.

For the Respondent

: Mr. Peeyoosh Kalra, ASC with Ms. Sona Babbar and Mr. Shiva Sharma, Adv. with SI Sandeep (Licensing Unit)

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**SANJEEV SACHDEVA, J. (ORAL)**

1. The petitioner has filed this petition seeking a mandamus to the respondents to grant extension of time for purchase of pistol without first selling the gun.

2. The Petitioner already has an arms licence for a 12 DBBL Bore Gun. The petitioner intended to sell the same and purchase a Pistol/Revolver. The petitioner applied for permission and the respondents granted the same but imposed a condition that the petitioner first sells of his DBBL and then purchase the

Pistol/Revolver. The period granted by the Respondents for sale of the old Gun and purchase of the new Pistol/Revolver has lapsed.

3. Learned counsel for the respondents submits that the period for sale of earlier weapon i.e. 12 DBBL pistol and purchase of a new pistol/revolver has been extended till 15<sup>th</sup> June, 2017. However, a condition has been imposed that the petitioner can purchase a new pistol/revolver only after sale of the gun currently with him.

4. Learned counsel for the petitioner submits that there is a severe threat perception and petitioner cannot be without a weapon even for a single day. In the order dated 18.11.2015, the statement of counsel for the respondents has been recorded to the effect that petitioner can, on the date of acquiring the pistol, deposit his gun with any Police Station or authorized arms dealer to be delivered to the buyer thereof.

5. In view of the above, the writ petition is disposed of directing the petitioner to deposit his existing weapon with any Police Station or authorized arms dealer to be delivered directly to the buyer thereof on the very same day on which he acquires a new pistol/revolver.

6. It is clarified that the petitioner, in accordance with the rules, shall duly intimate the respondents/licensing authority about the proposed weapon that the petitioner intends to purchase and on receipt of such intimation the respondents shall process the application and issue the requisite NOC in accordance with law.

7. In view of the statement of the respondent dated 18.11.2015, to the effect that the petitioner can deposit his earlier weapon with any Police Station or authorized arms dealer to be delivered to the buyer thereof on the very same day on which he acquires a new pistol/revolver, the petitioner would not be required to dispose of his DBBL Gun till he acquires the new Revolver/Pistol.

8. Copy of the order be given *dasti* under signatures of the Court Master.

**DECEMBER 14, 2016**  
**'rs'**

**SANJEEV SACHDEVA, J**

