

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.14946 of 2015 (O&M)
Date of decision: July 05, 2017

Baljeet Singh

...Petitioner

Versus

The State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Neeraj Gupta, Advocate for the petitioner.
Mr. Rohit Arya, AAG, Haryana.

Rajan Gupta, J.(oral)

Petitioner has sought a writ in the nature of certiorari for quashing orders Annexures P-4 to P-6, whereby his application for grant of Arms Licence has been rejected by the Joint Commissioner, Gurgaon and appeal and revision filed against the same have also been dismissed. It has been urged before the court that plea of the petitioner was rejected on the ground that he was involved in five cases. In four of the cases, he has already been acquitted and in another case a fine of Rs.800/- has been imposed upon him. Aforesaid contention is not controverted by the State counsel.

It appears, petitioner had a matrimonial dispute with his wife. Two cases in this regard were registered. Another case was under sections 323 & 506 IPC, in which he has been acquitted. Detail of the cases is as under:-

Case No.	Dated	U/S IPC	Police Station	Status
249	12.07.2011	323/506	Sadar Gurgaon	Acquitted by the Court of Sh. Gurneet Arora, JMIC, Gurgaon on 27.07.2012.
298	24.06.2003	494, 498-A, 406, 506	Acquitted	Acquitted by the court of Sh. Raj Kumar Yadav, ACJM, Jhajjar on 26.11.2011.
571	28.11.2000	498-A, 406, 34	Adarsh Nagar, Delhi	Acquitted by the Court of Smt. Rekha, M.M., Rohini, Delhi on 28.02.2008.
31	11.01.2003	7-10-55 of E.C. Act	City Gurgaon	Acquitted by the Court of Sh. Rajesh Gupta, learned Judicial Magistrate, Gurgaon on 25.08.2011.
61	27.01.2001	324	City Gurgaon	The learned court of Sh. Sudhir Parmar, JMIC, Gurgaon vide its orders dated 21.11.2003 had imposed a penalty of Rs.800/- upon Sh. Baljeet Singh.

It is apparent that aforesaid cases are not serious in nature and do not show that petitioner is a habitual offender or is involved in criminal activities. In the petition, it has been stated that petitioner is a transporter and thus, needs an Arms licence for self protection. Keeping in view facts and circumstances of the case, I feel that case of the petitioner needs to be considered afresh as he has not been sentenced to imprisonment in any of the cases pending against him. The petition is, thus, allowed. Orders Annexures P-4, P-5 & P-6 are hereby set-aside. Petitioner shall be at liberty to apply afresh to the competent authority for grant of Arms Licence. The

authority shall consider the same as per law. Decision shall be taken expeditiously.

(RAJAN GUPTA)
JUDGE

July 05, 2017
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No