

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.23009 of 2015

Date of decision: August 11, 2017

Sanjay Bhatia

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. V.S. Rana, Advocate for the petitioner.
Mr. Rohit Arya, AAG, Haryana.

Rajan Gupta, J.(oral)

Petitioner has impugned order dated 02.06.2014 (Annexure P-3), passed by respondent No.3, whereby Arms Licence of the petitioner has been cancelled by the Licensing Authority under the Act. Vide its order dated 08.05.2015, the appellate authority upheld the order. Challenge is primarily on the ground that no opportunity of hearing was afforded to the petitioner. He has been acquitted in the FIR registered against him at Police Station Kotwali, Faridabad. Petitioner, thus, submits that order may be set-aside and remitted to the same authority for decision afresh.

Prayer for remand of the case is not opposed by State counsel.

In view of above, orders dated 02.06.2014 and 8.5.2015, passed by respondents No.3 and 2 respectively are hereby set-aside. Matter is remitted to the Licensing Authority (Arm's)-cum-Joint Commissioner of Police, Faridabad for decision afresh after affording an opportunity of hearing to the parties.

Allowed in these terms.

**(RAJAN GUPTA)
JUDGE**

August 11, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No