

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

CWP-22945-2017 (O&M)
Date of decision : 06.08.2018

Jatinder Singh @ Goldy

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Ms. Deepali Puri, Addl.A.G., Punjab.

JITENDRA CHAUHAN, J.

The petitioner, *inter alia*, seeks issuance of a writ in the nature of Mandamus, directing respondent No.2 to issue Arms Licence to the petitioner for .32 bore revolver/pistol.

It is contended that the petitioner being apprehensive about his safety and security, has applied for issuance of licence to hold .32 bore revolver/pistol. He had also undergone necessary weapon handling training from Punjab Armed Police Shooting Range, Jalandhar (Annexure P-3) and is skilled in handling the weapons.

On the other hand, learned State counsel submits that the case of the petitioner is not covered by instructions dated 31.03.2010 (Annexure R-2), issued by the Ministry of Home Affairs, Government of India. She further submits that the petitioner is an accused in FIR No.64 dated 29.05.2014, registered under Sections 120-B, 420, 465, 467, 468 and 471 of the Indian Penal Code, at Police Station Kartarpur.

Heard.

The petitioner has been nominated as an accused in FIR No.64 (ibid). The challan stands presented against him and the trial is yet to commence.

In view of the involvement of the petitioner in the criminal case, the Court feels that he is ineligible to hold a firearm in terms of the instructions (Annexure R-2) issued by the Ministry of Home Affairs, Government of India.

In view of the above, the instant petition is hereby dismissed.

However, if the petitioner is honourably acquitted of the charges framed against him, he shall be at liberty to revive the present petition or file afresh.

06.08.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No