

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.6565 of 2014

Date of decision:11.05.2018

Surjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. P.P.S.Duggall, Advocate for the petitioner.

Mr.H.S.Sitta, AAG Punjab.

Rakesh Kumar Jain, J. (Oral)

This petition is directed against the order dated 30.11.2012 passed by the ADM Fazilka and order dated 31.1.2014 passed by the Commissioner, Ferozepur Division, Ferozepur by which arms licence of the petitioner No.969/O.D./2000/Ferozepur on which two arms, namely, .12 bore double barrel and .32 bore revolver were registered, was cancelled on the ground that he has been involved in a case registered vide FIR No.87 dated 2.7.2012 under Sections 307/34 IPC and 25/27/54/59 of the Arms Act, 1959 at P.S.City Jalalabad, District Fazilka.

After notice, the respondents have filed their reply and it is categorically mentioned therein that the aforesaid FIR has been cancelled against which the petitioner has filed the appeal in terms of Section 18 of Arms Act, 1959 before the Commissioner, Ferozepur Division, Ferozepur which was dismissed on 31.1.2014 and therefore, the present petition was filed in which after notice, the respondents have admitted that the aforesaid FIR No.87 dated 2.7.2012 registered under Sections 307/34 IPC and 25/27/54/59 of Arms Act,

P.S.City Jalalabad, District Fazilka has already been cancelled.

After hearing the learned counsel for the parties and taking into consideration the aforesaid facts and circumstances as per which the FIR No.87 dated 2.7.2012 which was the reason for cancelling the arms license of the petitioner, has been cancelled, the order dated 30.11.2012 does not survive.

Accordingly, the writ petition is hereby allowed and the impugned order dated 30.11.2012 passed by ADM Fazilka and order dated 31.1.2014 passed by the Commissioner, Ferozepur Division, Ferozepur are hereby set aside.

May 11, 2018
Meenu

(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned : Yes/No
Whether reportable : Yes/No