

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

**CWP No.5508 of 2000(O& M)
Date of Decision:29.04.2019**

Bhupinderjit Singh

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner

Mr.Ajay Pal Singh Gill, DAG Punjab

RAJIV NARAIN RAINA, J. (ORAL):

Prayer in this petition is for issuance of a writ of mandamus or any other order or direction to the State of Punjab/ Director General of Police/District Magistrate/Deputy Commissioner, Hoshiarpur, to provide necessary information as to under which policy/instructions/rules, the Government/policy has been issuing licences of firearms/weapons to persons who had been doing commendable work on the anti-terrorists front during the period of terrorism in Punjab and who apprehended danger to their lives and properties.

The petitioner was a member of the Punjab Civil Medical Services, Class-I, working as a Medical Officer posted in District Hoshiarpur, when he filed the present petition in mid 2000.

No one has appeared on behalf of the petitioner, either for a pass over or for an adjournment. Heard learned State counsel on the pleadings and the components relied upon in the reply filed by the State.

In the reply filed by the State, it is disclosed that a criminal case

was registered against the petitioner for kidnapping of one Sharanjit Singh. On his personal search at the time of occurrence, a 9 mm pistol was recovered from his possession, for which, another case was registered on 14.02.1995, under the Arms Act. The petitioner was sentenced to undergo five years imprisonment and to pay a fine of Rs.500/- by the Court of Additional Judicial Magistrate, Hoshiapur. The appeal was pending at the time when written statement was filed in the present case. From the interim order dated 26.07.2001, it is found that in FIR No.19 dated 14.02.1995, the petitioner was acquitted. It is not denied by the State that in those days weapons were issued to those under threat to life under the village defence scheme. The instructions were produced in the Court on 11.08.2001, which is the document the petitioner was searching for in the petition in pre RTI days. The petition had thus been rendered infructuous. Moreover, the petition was filed in the year 2000 and under the Right to Information Act, 2005, any information that one wanted to obtain was easily accessible through the provisions of the said Act. The petitioner had the liberty to exercise that right *de hors* the prayer in the petition.

The petition stands disposed of as infructuous. The file is closed and the same be sent to the record room.

29.04.2019

neenu

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No