

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

**CWP-23355-2019 (O&M)
Date of Decision:29.08.2019**

Ramesh Kumar

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Digvijay Nagpal, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant petition is to the order dated 26.08.2014 (Annexure P-2) passed by the Additional District Magistrate, Mansa and in terms of which an application preferred by the petitioner seeking renewal of his arms license had been rejected. Further challenge is to the order dated 21.02.2018 (Annexure P-4) passed by the Commissioner, Faridkot Division, Faridkot dismissing the appeal filed by the petitioner against the order dated 26.08.2014 passed by the District Magistrate.

During the course of arguments, it has gone uncontroverted that as on the date of passing of the impugned order dated 21.02.2018 at Annexure P-4, the petitioner was facing trial in certain criminal proceedings.

Perusal of the order passed by the Commissioner, Faridkot Division, Faridkot at Annexure P-4 would also reveal that pendency of the criminal prosecution has weighed with the authority while dismissing the appeal.

Counsel would apprise the Court that subsequent to the order passed by the Appellate Authority, the petitioner has earned acquittal. Rather

counsel would submit that petitioner was implicated in three FIRs and in the trials that ensued, petitioner stands acquitted in all three.

Under such circumstances, there would be no impediment for the petitioner to apply for an arms license afresh and that too, on the strength of developments/judgments of acquittal passed later in point of time to the impugned order passed by the Appellate Authority dated 21.02.2018 (Annexure P-4).

Confronted with such a situation, counsel seeks withdrawal of the instant petition. He however seeks an indulgence of this Court that in case an application is filed by the petitioner for issuance of an arms license, directions be issued to the District Magistrate concerned to process such application expeditiously.

As per prayer made by counsel, writ petition is disposed of as withdrawn.

It is observed that in case the petitioner applies for an arms license afresh, the same would be processed in accordance with law and under the provisions of the Arms Act and Rules framed thereunder and without influenced by the orders already passed by the District Magistrate as also the Appellate Authority which was challenged in the instant writ petition.

29.08.2019*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |