

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CWP-1517-2020 (O&M)

Date of Decision : 23.09.2020

NAGINDER SINGH

....Petitioner

Versus

THE UNION TERRITORY, CHANDIGARH AND ORS

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mansur Ali, Advocate and
Mr. Imran Ali, Advocate for the petitioner.

Mr. Daman Dhir, Advocate for respondents No. 1 to 3.

Mr. Sukant Gupta, Additional P.P.
for respondent No. 4-UT, Chandigarh.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that respondent No. 2 has kept his case pending for the renewal of the Arms License, vide order dated 15.11.2019 (Annexure P-13), till the final decision of the FIR or the positive recommendations from the police. In the said order, it has been recorded by respondent No. 2 that Senior Superintendent of Police, U.T., Chandigarh was requested to intimate the position of the case registered in the State of Punjab against the petitioner being FIR No.74 dated 21.06.2012, but no report has been received from the said office and, therefore, the renewal of the Arms License was kept pending till the decision of the FIR concerned or till the positive report is received from the

police.

During the course of hearing, learned counsel appearing on behalf of respondent No. 4 submits that the necessary recommendations was already sent to the said office vide letter dated 30.08.2019 in respect of the renewal of the Arms License.

Learned counsel for respondents No. 1 to 3 submits that in case the said recommendations have been sent by respondent No. 4, the same will be taken into consideration and afresh appropriate orders will be passed after due consideration in respect of the prayer of the petitioner for the renewal of the Arms License. Learned counsel for respondents No. 1 to 3 further submits that the plea of the petitioner will also be considered while arriving at the fresh decision including the plea that as per settled principle of law mere registration of an FIR cannot be a ground to decline the permission for renewal of the Arms License.

Learned counsel for the petitioner raises no objection in respect of the proposal raised by learned counsel appearing on behalf of respondents No.1 to 3 to pass afresh order, but submits that the renewal of the Arms License has already been delayed and, therefore, for the fresh consideration, which is to be undertaken by respondent No. 2, be done in a time bound manner.

Keeping in view the above, without rendering any opinion on the merits of the case or the claim being made by the petitioner, the present writ petition is disposed off with a direction to respondent No. 2 to pass appropriate order afresh in respect of the prayer of the petitioner for the renewal of the Arms License by taking into consideration all the relevant facts including the settled principle of law within a period of three months

from today. The order so passed be conveyed to the petitioner immediately thereafter. It is made clear that in case the petitioner is aggrieved against the order in any manner, he will be at liberty to avail the appropriate remedy for the redressal of his grievance, if any.

Writ petition is disposed of accordingly.

As the main writ petition has been disposed of, no order is required to be passed in **CM-5795-CWP-2020**.

September 23, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*