

Civil Writ Petition No. 17884 of 2019 (O&M)

Date of decision : January 08, 2020

Krishan Singh

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Rajesh Lamba, Advocate
for the petitioner.

LISA GILL, J.

This petition has been filed by the petitioner, challenging order dated 07.02.2019 (Annexure P6) as well as order dated 27.04.2018 (Annexure P3). Arms licence issued in favour of the petitioner stands cancelled.

It is submitted that after passing of the impugned order dated 27.04.2018, the petitioner was acquitted in FIR No. 219 dated 29.10.2017 on 11.06.2018. The petitioner filed an appeal in which reply (Annexure P5) was filed on 30.07.2018 stating that the trial against the petitioner was still pending. Learned Appellate Authority without even looking into the aspect of acquittal of the petitioner dismissed his appeal on 07.02.2019. The petitioner, it is submitted, is not involved in any other criminal case.

Notice of motion.

Ms. Safia Gupta, AAG, Haryana accepts notice on behalf of the respondents. Advance copy of the petition stands supplied.

It is mentioned in order dated 07.02.2019 passed by the Commissioner, Faridabad Mandal, Faridabad that proceedings in

FIR No. 219 dated 29.10.2017 were still pending adjudication. It is apparent that the learned Appellate Authority has not considered the factum of acquittal of the petitioner in the abovesaid case.

Keeping in view the facts and circumstances of order dated 07.02.2019 passed by the Commissioner, Faridabad Mandal, Faridabad is set aside and the matter is remanded before the learned Appellate Authority, to be decided afresh, after hearing the parties.

It is clarified there is no expression of opinion on the merits of the case, or the effect or otherwise of the acquittal of the petitioner which needless to say shall be considered and decided by the learned Appellate Authority in accordance with law.

Writ petition is, accordingly, disposed of.

January 08, 2020
rts

(Lisa Gill)
Judge

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