

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 345/2021

Abhishek Jagdish Ghuge ...Versus...District Magistrate, Wshim and ors

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. V.R.Deshpande, Advocate for petitioner.
Ms. Shamsi Haider, APP for Respondent/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 13/01/2022

Heard Mr. Deshpande, learned counsel for the petitioner.

The petition challenges the order dated 31.03.2021, whereby the arms license issued to the petitioner has been cancelled. The grounds for cancellation is the pendency of two proceedings, (i) crime No. 47/2019 under Sections 498-A, 306 and 34 of the IPC and (ii) Crime No. 53/19 under Sections 376 and 506 of the IPC.

Mr. Deshpande, learned counsel for the petitioner points out that Crime No. 47/19 has been quashed by this Court in Criminal Application (APL) No. 846/2919 and connected matters, by the judgment dated 13.12.2021. In so far as Crime No. 53/2019 is concerned, he submits that a "B" summery was submitted by the police authority to the learned C.J.M, who has issued a "C" summary therein by his order dated 2.8.2021.

These facts are not controverted by the learned APP, considering which it is apparent that the very basis for cancellation of the arms license as indicated from the impugned order does not survive, in view of which the same is hereby quashed and set aside. The petition is allowed in above terms. No costs.

JUDGE

rvjalit