

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No. 10922 of 2021

Date of decision: 11th April, 2023

Ashwani Kumar

Petitioner

Versus

State of Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Ishnoor Singh, Advocate for the petitioner.
Mr. Sharad Aggarwal, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

This writ petition in the nature of *Certiorari* is filed seeking quashing of orders dated 6.10.2017 and 25.3.2021, cancelling the arms licence of the petitioner and dismissing the appeal, respectively.

The brief facts are that the petitioner was holding an arms licence No. 5177/DM/KL which was valid upto 2.7.2017. The petitioner applied for renewal of the licence. The arms licence was cancelled considering that he was involved in FIR No. 800 dated 19.12.2016, under Section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Assandh. Aggrieved of the order, appeal was filed stating that the petitioner was acquitted in the case of FIR No. 800 on 7.12.2018. The appellate authority recorded that the case is pending and upheld the order of cancellation.

Heard learned counsel for the parties and perused the

pleadings.

The judgment of acquittal dated 7.12.2018 in FIR No. 800 is annexed with the petition as Annexure P-8, the said fact is not being disputed by the respondent.

The foundation of cancellation of the licence has eroded. Consequently, the impugned orders are set aside.

The petition is allowed.

The matter is remitted back to respondent No. 3 to decide the issue afresh in accordance with law.

Let the petitioner appear in the office of respondent No. 3 on 25.4.2023 at 11.00 AM.

[AVNEESH JHINGAN]
JUDGE

11th April, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |