



CWP-15396-2021

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

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CWP-15396-2021

Date of decision:30.09.2024

DALBIR SINGH

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. S.S. Nain, Advocate for the petitioner.

Mr. Satish Singla, AAG, Haryana.

SUVIR SEHGAL, J. (ORAL)

1. Instant writ petition has been filed under Articles 226/227 of the Constitution of India *inter alia* for issuance of a writ in the nature of certiorari for quashing orders dated 18.08.2020 and 28.05.2021, Annexures P-1 and P-2, respectively, passed by the respondent-authorities, whereby petitioner's firearms license was cancelled and appeal was rejected.

2. By referring to the impugned orders, counsel for the petitioner submits that the sole ground for cancellation of the license issued under the Arms Act, 1959, was because of petitioner's involvement in a criminal case. He has placed on record a copy of judgment dated 14.08.2024 passed in FIR No.97 dated 09.08.2019 under Sections 376(2)(f), 376(2)(n) and 506, IPC, 1860, at Police Station Women, Jind, to submit that as the petitioner has been acquitted, after trial, and the matter deserves to be remitted by the authorities.

3. Despite grant of opportunities, State has not filed any response. State counsel has, however, supported the impugned action.



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4. I have heard counsel for the parties and considered their respective submissions.

5. A perusal of the impugned orders show that the petitioner possessed arms license bearing No.84/DM/Jind/July-1995 (1320/R) and on the basis of a police report, which mentions his involvement in FIR mentioned above, the license was cancelled and he was asked to deposit the firearm with the nearest police station or an Arms Dealer. As the entire basis of the impugned action is the involvement of the petitioner in a criminal case, in which, he stands acquitted, this Court is of the view that the matter deserves to be re-examined by the authorities and the impugned orders deserve to be set aside.

6. Accordingly, orders dated 18.08.2020 and 28.05.2021, Annexures P-1 and P-2, passed by respondents No.3 and 2, respectively, are set aside and the matter is remitted to the District Magistrate, Jind, to re-examine it and pass a fresh order in view of the subsequent development.

7. Petition is disposed of.

8. Parties are directed to appear before the District Magistrate, Jind, on 11.11.2024, at 10:00 A.M.

30.09.2024
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No