



CWP-14035-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CWP-14035-2023

Date of decision: 11.09.2024

PAVITERDEEP SINGH

...PETITIONER

VERSUS

DIVISIONAL COMMISSIONER, PATIALA DIVISION, PATIALA AND
OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Paviterdeep Singh, petitioner in person.

Mr. Anil Bansal, DAG, Punjab.

SUVIR SEHGAL, J.

1. By way of present writ petition filed under Articles 226/227 of the Constitution of India, petitioner has approached this Court *inter alia* for issuance of a writ in the nature of certiorari for quashing orders dated 06.11.2018 and 18.10.2022, Annexures P-4 and P-6, respectively, passed by the respondent-authorities, whereby application for grant of license under the Arms Act, 1959, (for short "the Act") has been rejected and appeal thereagainst has been dismissed.

2. Petitioner, who is present in person, submits that he applied for a license under the Act vide application dated 26.03.2018, Annexure P-1. He was found to be medically fit by the Senior Medical Officer on 21.04.2018, Annexure P-2. However, Deputy Superintendent of Police, Patran, vide his report dated 25.07.2018, Annexure P-3, did not recommend the application for renewal. The application was rejected vide order dated 06.11.2018, Annexure P-4, which has been upheld in appeal by the Divisional Commissioner vide

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order dated 18.10.2022, Annexure P-6. Assailing both the orders, he is before this Court. Petitioner, who has appeared in person, contends that the respondent-authorities have not assigned any reason for rejecting the application. He submits that although an FIR had been registered on the complaint of the petitioner, but the accused were acquitted and the matter is pending before this Court. He submits that he needs a firearm for his personal protection.

3. Upon notice by this Court, writ petition has been contested by the respondents by filing a reply, wherein it has been submitted that the petitioner had submitted an incomplete form and he has not mentioned the details of the weapons, which he intends to acquire. A stand has been taken that the petitioner has not been able to satisfy the police authorities that there is any imminent threat to his life. State counsel has supported the orders passed by the Authorities.

4. I have heard the parties and examined the paper-book with their able assistance.

5. A perusal of the application form, Annexure R-1, submitted by the petitioner shows that the application form has been left incomplete. Petitioner has not filled in columns No.16 to 41 of the application and has not given the relevant information required for the consideration of the application. Some of these columns pertain to vital information regarding the background of the petitioner such as whether he had applied for a license earlier and whether it was cancelled or suspended. Additionally, whether any of his family members possess a firearm license and whether the petitioner has any criminal antecedents. Another pertinent information, which was required to be supplied

to by him was as to whether he is prohibited under the Arms Act or any other



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law from possessing arms or ammunition and whether he has any safe place to keep the weapon. The purpose for which the license has been sought has also not been mentioned. It seems that the application form has been filled by the petitioner in a very casual manner and thus it has rightly not been entertained by the authorities. Furthermore, although the petitioner is a complainant in a criminal case, but this information is missing from the application form, Annexure R-1. This Court, therefore, does not find any reason to interfere with the orders passed by the authorities.

6. Finding no merit in the writ petition, it is dismissed.
7. However, liberty is granted to the petitioner to file a fresh application for grant of firearms license in terms of the provisions of the Act by supplying the requisite information. In case, such an application is submitted by him, the same shall be dealt with by the authorities in accordance with law.

11.09.2024
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(SUVIR SEHGAL)
JUDGE

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