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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 250/2022 and CRL.M.A. 2283/2022**

SHAHANSHAH MIYAN

..... Petitioner

Through: **Mr. Maroof Ahmad & Mr. M.A.
Khan, Advocates.**

versus

STATE (GOVT NCT OF DELHI) AND ORS Respondents

Through: **Ms. Rupali Bandhopadhyaya, ASC with
Inspector Vijay, Licensing Unit & SI
Manish, PS-Welcome, for State**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

01.03.2024

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1. This petition was filed seeking the following reliefs:

“a) Pass appropriate Writ(s)/Order(s)/Direction(s) particularly in the nature of Mandamus to the Respondent No. 1 to 5 whereby directing them to provide the adequate security and safety to the Petitioner at the hands of the Respondent No. 6 to 15, on the grounds as mentioned herein above and in the interest of justice;

b) Further pass appropriate Writ(s)/Order(s)/Direction(s) particularly in the nature of Mandamus to the Respondent No. 5 whereby directing him to restore the Arms License No. NEWL/3/1994/1 which was valid upto 03.03.2021 of the Petitioner, with its further renewal/revalidation, issued in favour of the Petitioner, on the grounds as mentioned herein above and in the interest of justice;

c) Further pass appropriate Writ(s)/Order(s)/Direction(s) particularly in the nature of Mandamus to the Respondent No. 2 to 4 whereby directing them to add further Sections 307/506/34/120-B of IPC in FIR No. 0456 of 2021 dated 28.08.2021, under Section 324/34 of IPC, Police Station : Welcome, District : North East, Delhi, on the grounds as mentioned herein above and in the interest of justice;



c) Pass such other, further order(s)/direction(s) as this Hon'ble Court may deem fit, just and proper under the present facts and circumstances of the case in favour of the Petitioner.”

2. Learned counsel for the petitioner draws the attention of the Court to the order dated 07.07.2023, where the counsel for the petitioner had restricted the relief in the present petition to prayer ‘b’ relating to restoration of Arms License NEWL/3/1994/1.
3. Status report has been filed, copy of which has been handed over to learned counsel for the petitioner during the court hearing. It is stated that the show-cause notice was issued to the petitioner on 10.01.2022 by the Joint Commissioner, Licensing Unit, New Delhi to show cause as to why his arms license should not be cancelled as the petitioner was allegedly involved in case FIR No. 52/2016 under Section 283/ 290 IPC, PS-Jama Masjid and his sons and other family members were found involved in case FIR No.455/2021 under Section 308/323/509/34 IPC, PS-Welcome.
4. Response was sent by the petitioner on 24.01.2022 by an e-mail. It is further stated that before the decision could be taken by the Competent Authority, petitioner approached this Court and since the matter is subjudice before this Court, no decision has been taken thus far.
5. Show-cause notice has been issued to the petitioner to show cause as to why license should not be revoked and response has been filed by him. Competent Authority is yet to take a decision on the issue of cancellation of the Arms license. The petition is thus premature. The Joint Commissioner, Licensing Unit is directed to take a decision in accordance with law, within a period of six weeks from today.



6. Needless to state that a speaking and reasoned order will be passed, which will be communicated to the petitioner who will be at liberty to take recourse to appropriate remedies in case of any surviving grievance.
7. Petition stands disposed of along with pending application, in the aforesaid term.

MARCH 1, 2024
B.S. Rohella

JYOTI SINGH, J