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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 1762/2023, CRL.M.A. 6779/2023**

**RAJEEV**

..... Petitioner

Through: Mr. Manish Kaushik, Mr. Mishal Johari, Mr. Ajit Singh Joher, Mr. Anubhav Gupta, Mr. Harsh Vashisth, Mr. Chirag Sharma and Mr. Meet Shokeen, Advocates with petitioner in person.

versus

**STATE OF NCT DELHI & ANR.**

..... Respondents

Through: Mr. Aashneet Singh, APP for State with and ASI Ram Pal, P.S. Defence Colony for respondent No.1.  
ACP Sanjay Gupta with Insp. Vijay Shrotriya, Licensing Unit for respondent No.2.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

**25.04.2024**

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1. By way of present petition, filed under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 0168/2022 registered under Section 25/54/59 of the Arms Act at P.S. Defence Colony, New Delhi.
2. Present FIR came to be registered on the complaint of respondent No.2/Licensing Branch, Defence Colony when petitioner applied for renewal of licence in respect of a firearm in question. The petitioner claims that the subject firearm was owned by his grandfather namely *Mr. Gosain Ramji Dass*, who was holding a firearm Licence No. 71/IV/RSD issued by the Licensing Authority, Rohtak. It is submitted that the Licensing Authority



renewed the arms license from time to time. The said firearm also carried a pistol No. 1444 of 0.32 bore. The said firearm was transferred in the name of the petitioner on 25.07.1997 along with the license by the District Administration Rohtak, Haryana, a copy of which has been placed on record. The license was last renewed in 2019 for a period of three years. The petitioner last applied for renewal of license on 10.08.2022 and during investigation, the concerned ASI noted that there was neither any bore mentioned on the weapon nor was there any cylinder or magazine, therefore, it was opined to be a country made pistol. On the strength of the aforesaid observation, the present FIR came to be registered. During the pendency of the proceedings, petitioner approached the licensing authority with the request to consider the said firearm as a Curio under the Rule 10(6)(7) of the Arms Rules, 2016.

3. Learned APP for the State submits that petitioner's request has been considered with approval and the said firearm has now been categorized as a 'Curio' vide communication dated 12.04.2024 issued under the signatures of ACP (Arms) (Licensing), New Delhi, a copy of which has been handed over and taken on record.

4. A perusal of the above approval shows that the subject firearm has been deleted from the Arms License No. NWMT/9/2005/27 and the same has been allowed to be kept without license with further condition that in case the same is used or carried or transported, the same would be subject to appropriate license. Considering that the petitioner has opted to keep the subject firearm as a Curio, which has also been approved by the licensing authority, the present FIR and the consequent proceedings emanating therefrom are quashed. ACP Sanjay Gupta, Licensing Unit states that steps



would be taken to obtain the subject firearm from FSL and hand it over to the petitioner within a period of four weeks from today.

5. Petition alongwith miscellaneous application is disposed of in the above terms.

**MANOJ KUMAR OHRI, J**

**APRIL 25, 2024**

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