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

CWP-5238-2025

Date of decision: 23.09.2025

NARINDER PAL SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Vedant Setia, Advocate for the petitioner.

Ms. Shruti, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the order dated 29.08.2024 (Annexure P-1), whereby the arms licence of the petitioner has been cancelled and the order dated 12.12.2024 (Annexure P-2), whereby the appeal of the petitioner has been dismissed, with a further prayer to direct the respondents to restore the arms licence of the petitioner.

2. In pursuance of the order passed by this Court on 09.09.2025, respective affidavits have been filed by the Commissioner, Ferozepur Division, Ferozepur and District Magistrate, Fazilka, in the Court today and the same are taken on record.

3. Learned counsel for the petitioner submitted that it is a case where the petitioner was having an arms licence, which has been cancelled by the District Magistrate, Fazilka vide impugned order dated 29.08.2024 (Annexure P-1) on the basis of allegation that the petitioner had fired with his licensed rifle



openly in a public place and made its viral video on the social media. He further submitted that thereafter, the petitioner filed an appeal before the Commissioner, Ferozepur Division, Ferozepur and vide impugned order dated 12.12.2024 (Annexure P-2), the Commissioner, Ferozepur Division, Ferozepur dismissed the appeal without assigning any reason. He further submitted that it is a settled law that an order passed has to be backed by some reasons. He also submitted that the District Magistrate, Fazilka passed the order (Annexure P-1) purely on the basis of the report submitted by the Senior Superintendent of Police, Fazilka, without any observation as to how it will cause breach of peace affecting public safety and which provision of law was violated.

4. On the other hand, Ms. Shruti, AAG, Punjab submitted that as per the respective affidavits filed by both the aforesaid authorities in the Court today in pursuance of the order passed by this Court on 09.09.2025, the aforesaid action of the petitioner was not permitted in view of Annexure R-2/T, whereby use of firearm was prohibited. She submitted that however the aforesaid is not referred to by the Commissioner, Ferozepur Division, Ferozepur in the aforesaid impugned order (Annexure P-2).

5. I have heard the learned counsels for the parties.

6. A perusal of the impugned order dated 12.12.2024 (Annexure P-2) passed by the Commissioner, Ferozepur Division, Ferozepur would show that he has only affirmed the order passed by the District Magistrate, Fazilka without assigning any reason whatsoever. It is a settled law that whenever any order is to be passed either by a quasi-judicial authority or even by the administrative authority, the same has to be backed by reasons since the reasons are the soul of an order. Now that the respective affidavits have been filed today



by both the Commissioner, Ferozepur Division, Ferozepur and District Magistrate, Fazilka, reference has been made therein to certain Government instructions which prohibit firing in the air under the law but these instructions do not find mention in the order passed by the Commissioner, Ferozepur Division, Ferozepur and the cancellation of arms licence was based only on the report submitted by the Senior Superintendent of Police, Fazilka. It is also a settled law that the reasons given in an affidavit cannot be substituted for an order which has been passed and affidavits in the petition cannot improve the case of any of the parties. Be that as it may, the aforesaid impugned order dated 12.12.2024 (Annexure P-2) passed by the Commissioner, Ferozepur Division, Ferozepur, is absolutely cryptic and is not backed by any reasons whatsoever.

7. In view of the aforesaid facts and circumstances, the present petition is partly allowed. The impugned order dated 12.12.2024 (Annexure P-2) passed by the Commissioner, Ferozepur Division, Ferozepur, is hereby set aside. The matter is remanded back to the Commissioner, Ferozepur Division, Ferozepur, to pass a fresh and reasoned order after giving adequate opportunity of hearing to the petitioner or his counsel. It is made clear that the fresh order shall be passed with due application of mind and uninfluenced by the earlier order passed vide Annexure P-2 as well as the present order passed by this Court. The fresh order shall be passed by the Commissioner, Ferozepur Division, Ferozepur, within a period of four months from today, strictly in accordance with law.

(JASGURPREET SINGH PURI)
JUDGE

23.09.2025
Chetan Thakur

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No