



207
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8174-2023 (O&M)
Date of Decision: 30.10.2025

Kulwinder Grover

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Deepak Aggarwal, Advocate,
for the petitioner.

Ms. Shruti, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for setting aside the order dated 03.02.2023 (Annexure P-5), whereby the application for grant of extension of jurisdiction of the arms licence of the petitioner for whole of India from State of Punjab has been rejected.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner is holding a valid arms licence, which is valid till the year 2027. He submitted that the petitioner is a press reporter and he applied for the extension of area of his arms licence Pan India since he remains on a touring job for a long period of time and considering the threat to



his life, he had applied for extension of the operation of the arms licence on pan India basis which was to be decided by the State Government. He submitted that in this regard, the District Magistrate, Bathinda vide order dated 17.08.2022 had rather recommended the case of the petitioner but when the matter went to the State Government, the State Government rejected the plea of the petitioner for extension of his licence Pan India. He submitted that the reason so stated in the impugned order (Annexure P-5) was that there is pendency of cases against the petitioner. He submitted that in fact the aforesaid order is based upon wrong facts because the petitioner was involved in five cases under the Gambling Act out of which in three cases, he already stood convicted but with only a monetary fine regarding which the judgments have been annexed as Annexure P-7 to P-9 and in the remaining two cases the cancellation report has been accepted by the learned Competent Court and in this way, on the date of the passing of the impugned order (Annexure P-5) there was no case pending against the petitioner. He submitted that therefore the order passed by the State Government is based upon incorrect facts. He also submitted that as per the reply filed by the Under Secretary to the Government of Punjab, one of the reasons so stated in para No.13 was that the petitioner has not produced any document to prove that he frequently visits outside the State in connection with his trade/profession but the same does not find any ground for refusal to extend the area of validity of arms licence and therefore, the aforesaid ground taken in the reply is not sustainable.

3. On the other hand, Ms. Shruti, learned Assistant Advocate General, Punjab has also referred to the reply filed by the Under Secretary and submitted that factually it is correct that the aforesaid ground being taken in the reply does not reflect in the impugned order.



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

5. The only prayer of the petitioner in the present petition is that his application for extension of the area of validity of the arms licence which he is already possessing has been erroneously declined by way of the impugned order (Annexure P-5). A perusal of the impugned order would show that it has been declined on the ground that there are cases pending against the petitioner but it has been submitted by the learned counsel for the petitioner while referring to Annexures P-7 to P-9 that on the date of the passing of the impugned order, no case was pending against the petitioner. Therefore, it appears that the impugned order appears to have been passed on wrong facts. So far as the plea taken by the State in the reply with regard to the fact that the petitioner has not produced any document to prove that he frequently visits outside the State is concerned, the same is only a part of the reply but does not find mention in the impugned order. It is settled law that the replies filed in the petition cannot improve upon the orders which have been passed, especially when the order is the impugned order.

6. In view of the aforesaid facts and circumstances, the present petition is allowed. The impugned order dated 03.02.2023 (Annexure P-5) is hereby set aside. It is directed that respondent No.1-State of Punjab shall pass a fresh order after fresh application of mind on the application of the petitioner for the extension of area of validity of arms licence after hearing the petitioner or his counsel. It is further directed that the fresh order which is required to be passed shall be after fresh application of mind and uninfluenced by the earlier order passed i.e. Annexure P-5 and shall also not be influenced by the present order passed by this Court and an



independent mind has to be applied. The order shall be passed within a period of four months from today.

30.10.2025

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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