



CWP-18861-2025

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

**CWP-18861-2025
Date of Decision: 11.09.2025**

Satpal

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ram Kumar Saini, Advocate,
for the petitioner.

Mr. Nitin Kaushal, Addl. AG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of *Certiorari* for quashing the impugned order dated 12.04.2022 (Annexure P-3) passed by the District Magistrate, Hisar and also the order dated 07.02.2023 (Annexure P-5) passed by learned Commissioner, Hisar Division, Hisar vide which the arms licence of the petitioner has been revoked with further prayer in the nature of *mandamus* directing the respondents to renew the arms licence of the petitioner.

2. In pursuance of the order passed by this Court on 20.08.2025, reply by way of an affidavit of District Magistrate, Hisar and an affidavit of Divisional Commissioner, Hisar have been filed in Court today, which are taken on record.

3. As per the reply filed by the licensing authority, it has been so stated that although reasons have been mentioned in the order but wrong provision has been mentioned therein which was a mistake and it has also been

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stated in the reply that the licensing authority will be careful in future. So far as the affidavit filed by the Commissioner, Hisar Division is concerned, it has been so stated that the officer has recently joined the office and the order dated 07.02.2023 (Annexure P-5) was passed by his predecessor.

4. Learned counsel for the petitioner has submitted that both the orders are unreasoned orders and the licensing authority has passed the impugned order dated 12.04.2022 by putting wrong provision which has now been admitted in the aforesaid reply filed by them. He also submitted that so far as the impugned order dated 07.02.2023 passed by the Divisional Commissioner, Hisar is concerned, it is also a cryptic and non-speaking order because it only re-affirms the order passed by the licensing authority by just one stroke of pen and nothing has been mentioned as to under which provision of law the delay of three years becomes fatal and therefore, the order is unreasoned order.

5. Mr. Nitin Kaushal, learned Additional Advocate General, Haryana has submitted that although reasons were mentioned in the order passed by the licensing authority but no clear cut reasons have been mentioned in the order passed by the Commissioner, Hisar Division nor the provision of law has been so mentioned in the last para of the order.

6. After hearing the learned counsel for the parties, this Court is of the considered view that whenever any order is to be passed by any quasi judicial authority or any administrative authority then the same has to be backed by reasons because the reasons are the soul of the order. It is a different issue that wrong provision of law is mentioned in the order passed by the licensing authority, but a perusal of the order dated 07.02.2023 passed by the Commissioner, Hisar Division vide Annexure P-5 would show that no reasons



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have been mentioned and rather no provision of law has been mentioned except for mentioning that it is as per the provisions under the Arms Act and therefore, the order is *ex facie* cryptic and unreasoned order.

7. In view of the aforesaid facts and circumstances, the present petition is partly allowed. The impugned order dated 07.02.2023 passed by the Commissioner, Hisar Division vide Annexure P-5 is hereby set aside since the same is *ex facie* non-speaking and not backed by any reasons. The matter is remitted back to the Commissioner, Hisar Division, who will pass a fresh order with due application of mind which will be a speaking order backed by cogent reasons.

7. Needless to say that while passing the fresh order, the Commissioner, Hisar Division shall neither be influenced by the earlier order dated 07.02.2023 nor the present order passed by this Court. A well-reasoned order shall be passed within a period of two months from today after giving due opportunities of hearing to the petitioner or his counsel.

11.09.2025
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No