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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 792/2025**

JANAK RAJ DHAMI

.....Petitioner

Through: Mr. Pramod Kumar & Ms.
Smita Kumari, Advs.
along with petitioner.

versus

THE JOINT COMMISSIONER OF POLICE

.....Respondent

Through: Mr. Sanjay Lao, SC (Crl)
along with Mr. Abhinav
Kr. Arya & Ms. Priyam
Agarwal, Advs. for the
State.
Insp. Vijay Shrotiya,
Licencing.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

03.04.2025

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CRL.M.A. 7352/2025 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed seeking the following prayers :

"a issue an appropriate writ order and/or direction in the nature of quo warranto calling upon the respondent to appear in person before this Hon'ble Court and to produce before this Hon'ble Court the authority on the basis of which the impugned order has been passed;

b. issue an appropriate writ, order and/or direction in the nature of certiorari calling upon the respondent herein to produce the record on the basis of which he has arrived at a decision that the petitioner herein has scant regard for the law of the land and that thus the petitioner renders himself as an unsuitable person to possess a licensed arms any more;

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c. issue an appropriate order/direction to the effect that the petitioner herein shall have liberty to possess the NPB revolver in question as heretofore as the same is absolutely necessary for his personal safety and security; and
d. quash and set aside the impugned order dated 13.07.2022 passed by the Lt. Governor of Delhi as well as the order dated 10.06.2019 passed by the Joint Commissioner of Delhi, the respondent herein as being mala fide and illegal;
e. pass any such and further order and/or directions as this Hon'ble Court may deem fit, proper, just and equitable in the interest of justice and in the fitness of the facts and circumstances of the case of the petitioner."

4. The petitioner essentially wants restoration of his Arms Licence which was cancelled by the concerned authorities by order dated 10.06.2019. By order dated 13.07.2022, the appeal filed by the petitioner against the said order was dismissed by Hon'ble the Lieutenant Governor.

5. The order dated 10.06.2019 was passed by the Licencing Authorities after issuing a Show Cause Notice dated 29.10.2018. The said Show Cause Notice was issued stating that during verification, it was reported that the petitioner was involved in eight FIRs under various sections. It was further stated that the petitioner did not disclose his involvement in the said FIRs and filed an affidavit concealing the said fact at the time of renewal of his Arms Licence on an earlier occasion.

6. A reply was filed by the petitioner where he pleaded that all the FIRs, except the FIR No. 25/2008, registered at Police Station Dabri, had already been decided in his favour and he needs the Arms Licence for his personal safety.

7. The Licencing Authority noted that the Arms Licence of the petitioner was also cancelled on an earlier occasion on 27.01.2008 on account of his involvement in various cases. The Arms Licence was thereafter restored by an order passed by Hon'ble the Lieutenant Governor. The order dated 10.06.2019



was passed by the Licencing Authorities noting that the petitioner had applied for renewal of Arms Licence in years 2011, 2014 and 2017 by concealing the registration of cases against him. It was further noted that six of the cases which were registered against the petitioner related to his involvement in forcible eviction of tenants, criminal trespassing, intimidations, etc. It was found that the FIRs were quashed on account of compromise, therefore, the same cannot be treated as acquittal. It was also noted that the petitioner does not enjoy a good reputation.

8. The order dated 10.06.2019 denying renewal of licence was challenged before the Hon'ble the Lieutenant Governor. The appeal was dismissed by noting that on an earlier occasion also, the licence was cancelled in the year 2008 on the ground of concealment of pending cases against the licensee petitioner.

9. It was noted that petitioner during the subsequent renewals in the years 2011, 2014 and 2017 had also has not revealed about the FIRs registered against him. The same was violation of Section 17(3)(c) of the Arms Act, 1959.

10. The learned counsel for the petitioner submits that the concerned FIRs were registered against the petitioner prior to the year 2009 and the same had been duly noted by Hon'ble the Lieutenant Governor while passing the order dated 27.05.2009, pursuant to which the petitioner's licence was restored. He submits that the same cannot be basis for a subsequent cancellation of the licence.

11. The learned Standing Counsel for the State submits that the present writ petition is not maintainable. He submits that the petitioner on an earlier occasion had filed a petition, being W.P. (CRL) 2449/2022, seeking the same relief, which was dismissed
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as withdrawn and the petitioner had also not taken any liberty to file a petition afresh.

12. He submits that undoubtedly, the petitioner can apply for a licence afresh if the grounds for grant of the same exist, however, no fresh writ petition can be filed impugning the same order which has already been challenged by the petitioner on an earlier occasion. He submits that as and when any fresh application is filed by the petitioner, the same will be dealt with in accordance with law.

13. The petitioner has not disputed that when he applied for Arms Licence in the years 2011, 2014 & 2017, the information in regard to his previous involvements had not been disclosed. Thus, undisputedly, the petitioner had concealed the material information. It is also not the case of the petitioner that at the time of applying for licence in the year 2011, 2014 & 2017, all the FIRs registered against him had come to an end.

14. Moreover, the information sought was not in regard to only the pending cases, but also the cases where the petitioner was involved in on an earlier occasion.

15. As noted in order dated 10.06.2019, the report prepared by the Special Branch, Delhi Police also states that the inquiry reveals the petitioner does not enjoy good reputation.

16. In view of the aforesaid discussion, the order dated 13.07.2022, passed by Hon'ble the Lieutenant Governor dismissing the appeal on account of the petitioner concealing information while applying for licences, cannot be called without merits.

17. Moreover, as rightly pointed out by the learned Standing Counsel, the petitioner had on an earlier occasion also filed a writ petition which was dismissed as withdrawn.



18. It is common knowledge that the petitioners seek liberty to withdraw the petitions when they are not getting favourable orders. The same, however, cannot be taken as a liberty being granted to the petitioner to file multiple petitions on subsequent occasions on account of change of roster.

19. In view of the above, the present petition is without merits and is dismissed.

20. The petitioner is, however, at liberty to apply for licence afresh in case he feels any threat to his life and liberty.

21. The same is directed to be considered in accordance with law and applicable rules.

AMIT MAHAJAN, J

APRIL 3, 2025

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