

S/L 21
22.06.2026
Court. No. 25
sourav

WPA 9337 of 2026

**Suprabhat Bandyopadhyay
Vs.
State of West Bengal & Ors.**

Ms. Labanyasree Sinha

...for the petitioner.

*Ms. Sudipa Banerjee
Mr. Ranjan Dutta*

...for the State.

1. The petitioner has filed the present writ application praying for a direction upon the respondent nos. 2 and 3 to disclose and furnish the order rejecting the prayer of the petitioner for exemption of depositing the arms and ammunition.
2. Learned counsel for the petitioner submits that the petitioner is a member of Serampore Rifle Club as well as National Rifle Association of India since long. In the year 1992, the competent authority had issued the licence to the petitioner for acquisition, possession and carrying of arms and ammunitions.
3. Learned counsel for the petitioner has relied upon the circular dated March 21, 2014 issued by the Election Commission of India wherein it is mentioned that the members of the National Rifle Association of India at different levels to be exempted from the restrictions imposed under the Commissioner's Office Order dated March 13, 1996 and other subsequent orders regarding deposit of arms and ammunitions and to retreat that such standing instructions of the commission are applicable in

every General Election to Lok Sabha/State Legislative Assembly.

4. Subsequently, thereafter, on April 26, 2022 the Election Commission of India has directed to the Chief Electoral Officers of all States of Union Territory to ensure in future that the procedure contained in Para 3.10 and 3.11 under Deposition of Licensed Arms laid by the commission vide its instruction dated September 1, 2009 be followed.
5. The petitioner has deposited the arms on March 24, 2026, as per the direction of Officer-in-Charge of Serampore P.S. Immediately, the petitioner has made a representation to the respondent authorities on March 30, 2026 requesting the authorities for consideration of the request of the petitioner for exempting the petitioner for depositing his arms and ammunitions at the police station in terms of the circular dated March 21, 2014. Learned counsel for the petitioner further submits that no order has been passed even after receipt of the representation submitted by the petitioner.
6. Learned counsel for the State submits a report wherein it is mentioned that a review petition in respect of the rejection was filed by the petitioner before the Commissioner of Police, Chandannagar Police Commissionerate on March 30, 2026 but the screening committee has inadvertently rejected the review petition of the petitioner.
7. Learned counsel for the petitioner submits that the authorities have rejected the request of the petitioner on March 23, 2026 to the application filed by the petitioner

on March 19, 2026 but the same has also not been communicated.

8. Considering the submission made by the learned counsel for the parties, this Court finds that the petitioner is the member of Serampore Rifle Club as well as the National Rifle Association of India and since long. The petitioner is holding the licence of arms and ammunitions. As per the circular dated March 21, 2014 issued by the Election Commission of India, it is categorically mentioned that the members of the National Rifle Association at different levels to be exempted from the restrictions imposed under the commissioner's order dated March 13, 1996 but in spite of the said circular, the police authority of the Serampore P.S. directed the petitioner to deposit his arms due to the Assembly Election of 2026.
9. The respondent authorities in their report have categorically admitted that the request of the petitioner for exemption of depositing the arms inadvertently rejected. The circular dated March 21, 2014 exempted from the restrictions of deposit of arms and ammunitions with regard to the members of National Rifle Association, thus, the respondent authorities are directed to exempt the petitioner for depositing his arms in terms of circular dated March 21, 2014.
10. In view of the above, WPA **9337 of 2026** is disposed of.
11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)