



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1326 OF 2025**

Zamurad Mohd. Hanif Khan ... Applicant
versus
The State of Maharashtra ... Respondent

**WITH
CRIMINAL APPLICATION NO.1329 OF 2025**

Muhammad Yasar Muhammad Iqbal ... Applicant
versus
The State of Maharashtra ... Respondent

Ms. Tanvi Mahadik with Mr. Jay N.Suryavanshi, Ms. Nikita V. Gawai i/by Mr. Prajot Shrivastava, for Applicants.
Mr. P.P.Malshe, APP for State.
API Pukale Bira, Ghatkopar Police Station present.

CORAM: N.J.JAMADAR, J.

DATE : 12 MARCH 2026

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in these applications is to the orders dated 11 March 2024, whereby the applications preferred by the Applicants for return of their licences and pistols of 32 bore 7 rounds, came to be rejected.
3. The principal reason for the rejection of the applications was that the applicants had not intimated the local authority about their temporary residence or change of their address and thereby the Applicants committed breach of Rule 17 of the Arms Rules, 2016.

4. In view of the aforesaid reasons, the Applicants have filed additional affidavits. Paragraph Nos.1 to 3 of the additional Affidavit filed in APL No.1329 of 2025 read as under :

“1. I say that Additional District Magistrate, Dist. Poonch, State of Jammu and Kashmir, has granted me arms license bearing No.LN1 5305 A7BADA19 / 258/C/DMP/1997 for possession of one point 32 bor pistol containing seven rounds. I say that said licence and my weapon was seized by the Ghatkopar Police Station in FIR No.200 of 2024.

2. I say that I am prosecuted under Section 30 of the Arms Act for not complying the rules and regulations under Arms Act. I say that I have filed present application for return of the said licence and my Gun during the pendency of the case.

3. I say that I am not residing in Mumbai now and permanently residing at my home town Poonch, Jammu and Kashmir and do not wish to come back to Maharashtra and therefore now not required to register the Arms licence in State of Maharashtra and same may be returned to me.”

5. In view of the aforesaid statements in the additional affidavits of the Applicants, the learned APP submits that the prosecution does not oppose the prayer for return of the pistols and magazines to the applicants.

6. In view of the aforesaid additional affidavits filed on behalf of the Applicants and the submissions of the learned APP, the Applications stand allowed.

7. The impugned orders are quashed and set aside.

8. The licence, pistol and seven round of magazines be returned to the respective Applicants, subject to the applicants giving an undertaking on an affidavit and an indemnity bond to the satisfaction of the learned Magistrate.
9. Learned Magistrate shall pass appropriate consequential order to return the licences and arms to the Applicants within a period of one week from the date of communication of this order.
10. Applications stands disposed.

(N.J.JAMADAR, J.)