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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3536-2025(O&M)

Date of Decision: 10.03.2026

RAHUL SHEORAN

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.Parminder Singh, Advocate, for the petitioner.

Mr. Udit Garg, Additional Advocate General, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing/setting aside the order dated 28.11.2022 (Annexure P-7) passed by respondent No.3, whereby the arms licence of the petitioner has been cancelled and order dated 18.10.2024 (Annexure P-10) passed by respondent No.2, whereby the appeal preferred by the petitioner against the order dated 28.11.2022 (Annexure P-7) has been dismissed.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner was having an arms licence but by way of the impugned order (Annexure P-7) passed by the District Magistrate, Karnal, the same has been cancelled. While referring to the aforesaid order, he submitted that there is no doubt that a number of FIRs are pending against the petitioner

and in some of them even challan has been presented but that itself cannot



become a ground for cancellation of the arms licence. He submitted that although there are disputes between the petitioner and a broadcasting company and there is another conflict between the petitioner and his wife but the same itself cannot become a ground for cancellation of the arms licence and therefore, the aforesaid impugned order is liable to be set aside. He also submitted that when the petitioner filed an appeal, the Appellate Authority also dismissed the same vide Annexure P-10 without passing any speaking order, which is also liable to be set aside.

3. On the other hand, Mr. Udit Garg, learned Additional Advocate General, Haryana has submitted that the order passed by the District Magistrate, Karnal is a well reasoned speaking order, wherein he has recorded his satisfaction that the possession of the arms licence by the petitioner would cause danger to public peace and security and it is not in the public interest for the petitioner to hold arms licence. He submitted that the parameters so contained under Section 17(3)(a) and (b) of the Arms Act are satisfied and therefore, no fault can be found in the aforesaid order passed by the District Magistrate, Karnal.

4. Learned State counsel further submitted while referring to the order passed by the Appellate Authority that it is evident from a perusal of the aforesaid order that the petitioner did not care to appear before the Appellate Authority for repeated number of occasions and this fact has also been noted by the Appellate Authority and thereafter, the Appellate Authority had applied its mind on the basis of the facts and circumstances and came to the conclusion that there is no merit in the appeal filed by the petitioner and therefore, the same has been dismissed. He has prayed for the dismissal of the present petition.



5. I have heard the learned counsels for the parties and perused both the impugned orders passed by the District Magistrate, Karnal and the Divisional Commissioner, Karnal Division, Karnal, who is the Appellate Authority.

6. A perusal of the order dated 28.11.2022 (Annexure P-7) passed by the District Magistrate, Karnal would show that the report of the Superintendent of Police, Karnal based upon various FIRs against the petitioner has been noted down therein and thereafter, it was observed by the District Magistrate, Karnal that after giving personal hearing to the petitioner, he came to the conclusion that the petitioner can misuse his arms at any time and there is a possibility of any unpleasant incident which cannot be ignored and thereafter, he recorded his satisfaction that there exists a danger to public peace and security and that it is not in public interest for the petitioner to hold arms licence and therefore, the District Magistrate in his wisdom has cancelled the arms licence of the petitioner. The provisions of Section 17(3)(a) and (b) of the Arms Act are reproduced as under:-

“17(3) The licensing authority may by order in writing suspend a licence for such period as it thinks fit or revoke a licence-

(a) if the licensing authority is satisfied that the holder of the licence is prohibited by this Act or by any other law for the time being in force, from acquiring, having in his possession or carrying any arms or ammunition, or is of unsound mind, or is for any reason unfit for a licence under this Act; or

(b) if the licensing authority deems it necessary for the security of the public peace or for public safety to suspend or revoke the licence.”



7. A perusal of the aforesaid would show that when the licensing authority, who is the District Magistrate in the present case, is satisfied that for any reason, the person is unfit for the licence or that if the licensing authority deems it necessary for the security of the public peace or for public safety to suspend or revoke the licence, then he may do so. During the course of arguments, it was also brought to the notice of this Court by the learned State counsel that in some of the FIRs, even challan has already been presented. Therefore, it is clear from the order passed by the District Magistrate that it is not only on the basis of the report submitted by the Superintendent of Police, Karnal that the arms licence of the petitioner was suspended but there are other factors also which have been so noted by the District Magistrate in the nature of satisfaction so recorded by him.

8. So far as the order passed by the Appellate Authority is concerned, a perusal of the same would show that after filing the appeal, the petitioner did not present himself before the appellate authority despite repeated opportunities being granted to him and thereafter, the appeal was dismissed. The operative part of the order passed by the appellate authority is reproduced as under:-

“After hearing the arguments of the Assistant District Attorney and after perusing the documents brought on the file. I have come to the conclusion that there is no need of any type of interference in the order passed by the lower court. The appellant was given many opportunities at the level of this court in the interest of justice. But the appellant has not appeared in the court even after giving the final opportunity. Hence, in the interest of justice, after hearing the Assistant District Attorney, this case is decided. No merit is found in the facts mentioned by the appellant in his appeal. The order of



the lower court is upheld. Case be consigned to the record room after compliance”.

9. So far as the order (Annexure P-10) passed by the Appellate Authority is concerned, this Court is of the considered view that no fault can be found in the same as the petitioner himself failed to appear before the Appellate Authority despite a number of opportunities having been granted to him.

10. So far as the order (Annexure P-7) passed by the District Magistrate is concerned, it was within the wisdom of the District Magistrate to have passed such an order on recording of his satisfaction and therefore, this Court is of the considered view that the parameters contained under Section 17(3)(a) and (b) of the Arms Act stand fulfilled. This Court would not substitute its opinion on the wisdom of the District Magistrate, Karnal, who has cancelled the arms licence of the petitioner on the basis of recording of his satisfaction. The petitioner has not been able to make out any case as to how the satisfaction of the District Magistrate can be faulted with.

11. In view of the above, this Court is of the considered view that there is no merit in the present petition and the same is hereby dismissed.

10.03.2026

(JASGURPREET SINGH PURI)

rakesh

JUDGE

Whether speaking

:

Yes/No

Whether reportable

:

Yes/No