

2026:PHHC:008040



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CRM-M-20402-2018
Date of Decision: 20.01.2026

UDAY VEER SINGH AND ORS.

... Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Vivek K. Thakur, Advocate
for the petitioners.

Mr. P.S. Pandher, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

By way of filing instant petition under Section 482 of Code of Criminal Procedure, 1973, the petitioners have sought setting aside of the order dated 10.04.2017 (Annexure P-5) passed by the learned SDJM, Guruharsahai, District Ferozepur, whereby it has dismissed the application of the petitioners for releasing their Arms Licenses and weapons on superdari, which were recovered in the case bearing FIR No.42 dated 15.03.2015 under Section 25 of the Arms Act, 1959 (Sections 420, 465, 468, 471 of IPC added later on) registered at Police Station Guruharsahai, District Ferozepur.

Learned counsel for the petitioners contends that the petitioners are valid and lawful owners of the alleged weapons and have valid licenses for the same, however, the application filed by the petitioners for getting their Arms Licenses and weapons released on superdari has been dismissed by the trial

Court on the basis of a report allegedly made by the concerned Station House Officer to the effect that the alleged licenses have been found to be fake. However, the learned counsel for the petitioners further submits that in paragraph No.6 of preliminary submissions/objections of the reply filed by the State to the instant petition, it has been duly admitted that the report of the concerned Station House Officer regarding the Arms Licenses of the petitioners was incorrect and the particulars of the said licenses (Annexure P-2) are duly valid and are available on the relevant website of the State of Jammu & Kashmir (Annexure P-3) indicating that the same are valid and genuine.

Learned State Counsel does not dispute the abovesaid facts and admits that the reply filed by the State does mention about the validity of the alleged Arms Licenses belonging to the petitioners.

Heard.

In view of the above, the impugned order dated 10.04.2017 (Annexure P-5) passed by the then learned SDJM, Guruharsahai, District Ferozepur is hereby set aside and the matter is remanded to the trial Court for passing fresh order on the application of superdari filed by the petitioners, in light of the new facts made out in the reply filed by the State.

Petition stands allowed accordingly.

JANUARY 20, 2026.

Rajender

(H.S. GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No