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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-10306-2022 (O&M)
Date of Decision: 03.02.2026

KULDEEP SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. G.S. Sidhu, Advocate,
for the petitioner.

Ms. Shruti, AAG, Punjab.

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 setting aside the impugned order dated 26.11.2021 (Annexure P-5) passed by respondent No.2, whereby the appeal of the petitioner has been dismissed and also impugned order dated 05.01.2021 (Annexure P-3) passed by respondent No.3, whereby the arms licence of the petitioner has been cancelled.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner was holding an arms licence of .12 bore double barrel gun and he filed an application for renewal of the same but the same was declined by the Licensing Authority vide Annexure P-3 dated 05.01.2021, whereby his licence was cancelled and was not renewed by making an



observation that since there is one FIR No.57 dated 19.07.2019, under Sections 447, 511, 427, 506, 147, 149 and 120-B IPC, pending against him and in view of the pendency of the said FIR, the licence of the petitioner was cancelled. He submitted that thereafter, when the petitioner filed an appeal before the Appellate Authority, the same was dismissed vide Annexure P-5 dated 22.02.2021 only on the ground that the petitioner is a quarrelsome person in view of the pendency of the FIR. He submitted that as per aforesaid FIR, the dispute was between two persons namely, Paramjit Singh and Gurmukh Singh pertaining to some land and the petitioner was only a mediator. He further submitted that even as per para No.3 of the reply filed by the respondents, they have stated that the arms of the petitioner were never used in commission of the offence. He submitted that the aforesaid FIR is still pending but the same has nothing to do with the renewal of arms licence of the petitioner and only on the basis of supposition that the petitioner is a quarrelsome person, his licence was cancelled which could not have been done. He further submitted that it is not a case where the petitioner has been convicted for any offence but it is a case where the petitioner was a mediator in some dispute between two villagers pursuant to which an FIR was registered and on the basis of registration of the said FIR his licence of .12 bore double barrel gun, which is meant for his own safety, has been cancelled by making a supposition that he is a quarrelsome person.

3. Learned counsel referred to a judgment passed by a Coordinate Bench of this Court in ***Dharamdev Arya Versus State of Haryana and others, CWP No.33095 of 2019, decided on 27.02.2020*** to contend that it is settled law that mere pendency of an FIR itself is not a ground for cancellation or non-renewal of the licence.



4. On the other hand, Ms. Shruti, learned Assistant Advocate General, Punjab on a query being raised to her with regard to the aforesaid arguments raised by the learned counsel for the petitioner could not controvert the same.

5. In view of the aforesaid facts and circumstances this Court is of the considered view that since the licence of petitioner has been cancelled and not renewed only on the ground of the pendency of the FIR regarding which the trial is still pending and also the fact that the Appellate Authority has dismissed the appeal by observing that the petitioner is a quarrelsome person and therefore, in future, issue regarding the public safety would arise, itself cannot become a ground for cancellation of arms licence of the petitioner.

6. Consequently, the present petition is allowed. The orders passed by the Licensing Authority as well as the Appellate Authority are hereby set aside. The District Magistrate, Fatehgarh Sahib, who is stated to be the Licensing Authority, shall pass a fresh order by fresh application of mind and strictly in accordance with law and being uninfluenced by the earlier orders passed by the District Magistrate, Fatehgarh Sahib or by the Commissioner, Patiala Division, Patiala and also uninfluenced by the order passed by this Court in the present case. The petitioner or his counsel shall also be heard by the District Magistrate, Fatehgarh Sahib before passing the order. The needful shall be done within a period of two months from today.

03.02.2026

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No