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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9898-2023(O&M)
Date of Decision: 13.01.2026

GURMEET SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R.S. Ghuman, Advocate for the petitioner.

Mr. Raghav Goel, 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 quashing the impugned order dated 08.02.2023 (Annexure P-18) passed by respondent No.2 and order dated 24.06.2022 (Annexure P-11) passed by respondent No.3, whereby the application dated 13.02.2020 (Annexure P-6) filed by the petitioner for renewal of his arms licence has been rejected, with a further prayer to direct the respondents to forthwith renew the arms licence of the petitioner.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner had applied to the Licensing Authority for renewal of his arms licence but the same was not renewed and it was cancelled by the



Licensing Authority vide Annexure P-11 dated 24.06.2022 on the ground of pendency of some FIRs against the petitioner. He submitted that when the petitioner preferred an appeal against the aforesaid order, the same was also dismissed by the Appellate Authority vide Annexure P-18 by passing a non-speaking and cryptic order, merely reiterating what had been stated by the Licensing Authority. He submitted that the sole basis for non-renewal of the arms licence was the pendency of FIRs against the petitioner, despite the fact that there was no conviction in any of the FIRs and it is a settled law that mere pendency of FIR itself cannot become a ground for non-renewal of the licence.

3. Learned counsel further submitted that be that as it may, now when the reply has been filed by the State in the present case, it has been stated in para No.2 of the reply that out of the aforesaid seven FIRs, only two were pending in which the petitioner was stated to be an undertrial, while in the remaining cases either cancellation reports had been filed or the petitioner had already been acquitted. He further submitted that out of the aforesaid remaining two FIRs, the petitioner stands acquitted in FIR No.102 dated 20.09.2019 and in this way, only one FIR is pending i.e. FIR No. 124 dated 15.09.2015, under Section 409 IPC, Police Station Payal in which he is an undertrial. He submitted that the aforesaid FIR is only pertaining to a monetary dispute between the parties and even otherwise also, the same cannot become a ground for refusal to renew the arms licence. He also submitted that the petitioner is a handicapped person and he needs arms licence for his security purposes and now there is no impediment or any embargo upon the respondents to issue the arms licence and therefore,



both the orders passed by the Licensing Authority and the Appellate Authority may be set aside. He also made reference to the judgment of a Coordinate Bench of this Court in ***Brijesh Kumar versus State of Haryana and other, 2021(4) RCR (Civil) 47.***

4. On the other hand, learned State counsel could not controvert the fact that the Appellate Authority while dismissing the appeal had failed to assign specific reasons for affirming the order passed by the Licensing Authority. He also submitted that the State has no objection in case the matter is remanded to the Licensing Authority for passing a fresh order after considering the totality of circumstances as well as the changed factual position.

5. After hearing the learned counsels for the parties, this Court is of the considered view that the order of non-renewal/cancellation of the arms licence was passed on the basis of pendency of some FIRs against the petitioner by the Licensing Authority and now as per the affidavit filed by the State, the petitioner has already been acquitted or cancellation reports have been filed in all the FIRs except for two and the learned counsel for the petitioner today has apprised this Court that out of the aforesaid two FIRs, the petitioner has been acquitted in one case and only surviving FIR pertains to Section 409 IPC in which he is an undertrial and therefore, this Court is of the considered view that it will be just and proper to direct the Licensing Authority to pass a fresh order on the basis of the fresh circumstances and in accordance with law.

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 matter is remitted back to the Licensing Authority to consider and decide the aforesaid grievance of the petitioner pertaining to renewal/grant of the arms licence, in accordance with law. The Licensing Authority shall pass a fresh order uninfluenced by the earlier orders passed by the Licensing Authority, the Appellate Authority or even the order passed by this Court because this Court has not made any observation on the merits of the case. Before passing the fresh order by the Licensing Authority, the petitioner or his counsel shall be given an adequate opportunity of hearing . The aforesaid order shall be passed within a period of three months from today.

7. Permission is also granted to the petitioner or his counsel to raise any further plea(s) available to him in accordance with law before the Licensing Authority and upon such plea(s) being raised, the Licensing Authority shall consider the same in accordance with law.

13.01.2026

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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