

205

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21711-2020 (O&M)
Date of decision: 21.01.2026

IQBAL SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

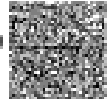
Present:- Ms. Ruchi Sharma, Advocate for
Mr. Navjot Singh, Advocate for the petitioner.

Ms. Shruti, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the order passed by respondent No.2, whereby the issuance of arms licence to the petitioner has been rejected without assigning any reason, with a further prayer to direct the respondents to decide the representation dated 24.09.2020 (Annexure P-3) within a time bound manner and also to issue arms licence to the petitioner.

2. Learned counsel appearing on behalf of the petitioner while addressing arguments submitted that the petitioner had filed an application for grant of arms licence in the year 2019 but the same was neither decided by the respondents nor any order was passed and rather the status was shown on the online portal vide Annexure P-2, where under the heading Current Stage, it was

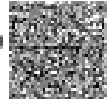


stated in a single line that “Application has been rejected by department”. She further submitted that various requests were made to the respondents to supply a copy of the order by which the aforesaid application was rejected so that at least the petitioner could have filed an appeal against the same and even an application under Right to Information Act was filed, but no such information and order was supplied by the respondents to the petitioner. She further submitted that acute prejudice has been caused to the petitioner, particularly in view of the fact that he has a political background and is in need of an arms licence. She also submitted that even a notice was issued to the respondents for deciding the representation (Annexure P-3) in this regard but no action was taken.

3. On the other hand, Ms. Shruti, AAG, Punjab, while referring to the reply filed on behalf of the respondents, submitted that it is correct that no formal order has been passed by the licensing authority, who is the District Magistrate, Hoshiarpur and the rejection was reflected only on the online portal. In this regard, she also referred to Annexure R-2/T, wherein it has been depicted that the Senior Superintendent of Police, Hoshiarpur has not recommended the issuance of an arms licence to the petitioner. She also submitted that if permission is granted to the respondents, a detailed speaking order will be passed on the application filed by the petitioner, in accordance with law and after affording an opportunity of hearing to the petitioner.

4. I have heard the learned counsels for the parties.

5. It is an admitted position that on an application filed by the petitioner for grant of arms licence, no order has been passed by the licensing



authority and what to talk of giving any reason. Under the provisions of Section 14(3) of the Arms Act, it is incumbent upon the licensing authority to record in writing the reasons in case the grant of licence is to be refused. However, in the present case, the office of the District Magistrate, Hoshiarpur, has only reflected the current stage of the application on the online portal, which is neither proper nor in accordance with law.

6. Learned State counsel has submitted that permission may be granted to the respondents to pass a detailed order after affording an opportunity of hearing to the petitioner.

7. Considering the aforesaid facts and circumstances, the present Civil Writ Petition is allowed. Annexure P-2, by which the current stage of the application is indicated, shall be ignored at the time of passing a reasoned order by the licensing authority. The licensing authority i.e. respondent No.2-District Magistrate, Hoshiarpur is hereby directed to pass an order on the application made by the petitioner for grant of arms licence, after affording an opportunity of hearing to the petitioner or his counsel, by proper application of mind and in accordance with law. Needful shall be done within a period of three months from today.

(JASGURPREET SINGH PURI)
JUDGE

21.01.2026
Chetan Thakur

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