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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-32940-2025

Date of decision: 10.03.2026

MANESH SHARMA

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

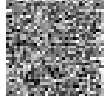
Present:- Mr. R. S. Randhawa, Senior Advocate with
Mr. Karanyog Singh Ryar, Advocate
for the petitioner.

Mr. Chirag Wadhwa, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

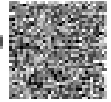
1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the order dated 30.09.2025 (Annexure P-12) passed by respondent No.2 and order dated 30.04.2025 (Annexure P-11) passed by respondent No.3, whereby the application for issuance of arms licence under Family Heirloom Policy has been dismissed, with a further prayer to direct respondent No.3 to issue arms licence to the petitioner under Rule 25 of the Arms Rules, 2016.

2. Learned Senior Counsel appearing on behalf of the petitioner submitted that the petitioner is an Advocate by profession and his grandfather, namely, Parshotam Dass was holding an arms licence for a long period of time



and upon attaining the age of more than 70 years, the said license holder requested the concerned authorities to nominate the name of the petitioner for the purpose of issuance of an arms licence under the Family Heirloom Policy. Thereafter, the licensing authority i.e. the District Magistrate, Karnal rejected the application but on an appeal being filed before the appellate authority i.e. the Divisional Commissioner, Karnal Division, Karnal, the matter was remanded back to the licensing authority for passing a fresh order. However, when no fresh order was passed by the licensing authority, the petitioner filed a writ petition bearing No.CWP-2715-2025 before this Court and the said petition was disposed of by a Coordinate Bench of this Court vide order dated 31.01.2025 (Annexure P-8) with a direction to the licensing authority to decide the application of the petitioner for grant of arms licence within a time-frame work. Thereafter, vide order dated 30.04.2025 (Annexure P-11), the licensing authority i.e. the District Magistrate, Karnal again rejected the application of the petitioner on the ground that there was no threat to the life and liberty of the petitioner and when the petitioner filed an appeal before the appellate authority against the order passed by the licensing authority, the appellate authority also rejected the same by passing a non-speaking order.

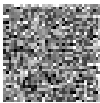
3. Learned Senior Counsel submitted that both the authorities below, despite noting that the right of the petitioner for grant of arms licence was to be considered under the Family Heirloom Policy, have not considered or referred to the statutory provisions contained in Rule 25 of the Arms Rules, 2016, which provide the procedure for dealing with such applications and the same was the position with the appellate authority and in the absence of any consideration of



the right of the petitioner to be considered under the Legal Heir Category, which has been so specifically and elaborately provided under the aforesaid Rule, both the aforesaid impugned orders are liable to be set aside.

4. On the other hand, Mr. Chirag Wadhwa, DAG, Haryana could not controvert the aforesaid submissions made by the learned Senior Counsel appearing on behalf of the petitioner that both the authorities below i.e. the District Magistrate, Karnal and the Divisional Commissioner, Karnal Division, Karnal have not even considered the provisions of Rule 25 of the Arms Rules, 2016, which deal with the provision for grant of arms licences to legal heirs.

5. After hearing the learned counsels for the parties and perusing both the aforesaid impugned orders i.e. Annexure P-11 and Annexure P-12, this Court is of the considered view that the present petition deserves to be allowed in view of the fact that the case of the petitioner pertains to his right to be considered under Rule 25 of the Arms Rules, 2016, which deals with the provision for grant of licence to legal heirs, in which a procedure has been prescribed but none of the impugned orders dealt with the aforesaid provision and straightaway, the District Magistrate, Karnal refused to grant licence to the petitioner only on the ground that there is no threat to the life and liberty to the petitioner. In other words, the licensing authority dealt with the application of the petitioner under the general provisions of grant or non-grant of the licence, whereas there is a specific provision for grant of licences to legal heirs under Rule 25 of the Arms Rules, 2016, which has not even been noted or discussed.



6. In view of the above, the present Civil Writ Petition is allowed. Both the impugned orders dated 30.04.2025 (Annexure P-11) and dated 30.09.2025 (Annexure P-12), are hereby set aside. The matter is remanded back to the licensing authority i.e. the District Magistrate, Karnal, to pass a fresh and reasoned order after considering Rule 25 of the Arms Rules, 2016 and after giving adequate opportunity of hearing to the petitioner or his counsel. It is made clear that the fresh order shall be passed with due application of mind and uninfluenced by the earlier order passed vide Annexure P-11 as well as the present order passed by this Court as this Court has not observed anything on the merits of the case. The fresh order shall be passed by the licensing authority, within a period of three months from today, strictly in accordance with law.

10.03.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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