

(2009) 04 AHC CK 0175
In the Allahabad High Court

Reyaz Ahmed

APPELLANT

Vs

State of U.P.and Others

RESPONDENT

Date of Decision : 21-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0175

Hon'ble Judges : Arun Tandon, J

Final Decision : Dismissed

Judgement

Arun Tandon, J.

Petitioner is an holder of firearm licence. His license has been suspended amongst other on the charges that the petitioner is involved in two criminal cases, first being (i) Case Crime No. 28D/2000 under Section 307 IPC and (ii) Case Crime No. 487/2008 under Section 30 Arms Act and Section 188 IPC and Section 7 Criminal Law Act.

Counsel for the petitioner with reference to the first case submits that he has already been acquitted by the competent Court. In the second case, he has been granted bail.

Counsel for the petitioner submits that his license cannot be suspended merely because of an F.I.R. has been lodged.

Having heard learned counsel for the parties and having gone through the records of the present writ petition, it is apparently clear that the petitioner is involved in a criminal case and mere grant of bail would not absolve him of the charge. In the facts of the case the District Magistrate has rightly placed the firearm license of the petitioner under suspension. Petitioner has been granted 15 days" time to show cause as to why his firearm licence be not cancelled. In the opinion of the Court the order passed does not warrant any interference under Article 226 of the Constitution of India. Writ petition is dismissed.

However Petitioner may submit his reply within two weeks from today along with

a certified copy of this order, before the licensing authority who shall consider the reply and pass final orders preferably within six weeks thereafter.