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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-24218-2026

Date of Decision : **07.09.2026**

RAJENDER SINGH KADYAN AND ANOTHERPetitioners

VERSUS

STATE OF HARYANA AND OTHERSRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Monika Khatri, Advocate,
for the petitioner.

Mr. Gaurav Jindal, Addl. AG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition as cast under Article 226/227 of the Constitution of India, a challenge is thrown to the order dated 21.04.2026, whereby the application of petitioner no.2 for grant of an arms licence was rejected by the SARAL Team.

2. Succinctly, the application of petitioner no.2 was shown as “rejected” on the concerned web portal by merely mentioning the single word “rejected”, whereas the application was required to be decided by the competent licensing authority. Significantly, in the event of refusal to grant an arms licence, the licensing authority was statutorily obligated under Section 14(3) of the Arms Act, 1959, to record the reasons for such refusal in writing. However, the licensing authority failed to discharge its



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statutory obligation and adopted an unusual mechanism of disposing of applications through the web portal, thereby depriving applicants of the reasons for rejection. Even from the status reflected on the web portal, it could not be deciphered as to who had, in fact, passed the order rejecting the application of petitioner no.2.

3. Therefore, vide order dated 06.08.2026, this Court directed the District Magistrate to explain, by way of a specific affidavit, the procedure/mechanism being followed for consideration and disposal of applications seeking grant of arms licences, and the matter was adjourned to 18.08.2026. During the hearing on 18.08.2026, learned State counsel apprised the Court that, consequent upon District Jhajjar having been declared a Commissionerate, the Commissioner of Police, Jhajjar, and not the District Magistrate, is the competent authority for granting arms licences. Consequently, a request was made for further time to file the requisite affidavit in compliance with the order dated 06.08.2026.

4. On 24.08.2026, learned State counsel filed the compliance report dated 21.08.2026, by way of an affidavit sworn by Ms. Deepti Garg, IPS, Deputy Commissioner of Police (Headquarters), Jhajjar, which was taken on record. The mechanism as adopted, which was explained in the affidavit (*supra*), reflects a sorry state of affairs as the arms licensing authority is not exercising its jurisdiction, rather only after obtaining a report from the SHO concerned, and the Assistant Commissioner of



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Police, is either allowing or declining the application without passing a reasoned speaking order.

5. Insofar as the decision on the application of petitioner no.2 by the SARAL Team is concerned, it has been averred in the aforesaid affidavit dated 21.08.2026, that the SARAL portal is a citizen-services portal constituting an electronic mode for submission of requests for various services, including applications for grant of arms licences. It has been further averred that, upon submission, such applications are converted into physical format or a regular file, whereafter the concerned authorities, in the sequence narrated hereinabove, duly assess the matter and the applications are accordingly disposed of.

6. Finding that the said affidavit conspicuously failed to address the material issue, as to whether, the application of petitioner no.2 was in fact decided by the licensing authority in accordance with the provisions of the Arms Act, 1959, and the rules framed thereunder or not, this Court directed the author of the affidavit to cause presence before this Court vide order dated 24.08.2026.

7. In deference to the aforesaid direction, today Ms. Deepti Garg, Deputy Commissioner of Police (HQ), Jhajjar, has caused her appearance before this Court, and her explanation by way of an affidavit dated 05.09.2026, filed by the learned State counsel, which is taken on record. In the said affidavit it is specifically stated that since no reasoned order was passed earlier, now a fresh reasoned and speaking order has



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been passed on 01.09.2026, after giving due opportunity of hearing to the petitioners, which has been annexed alongwith the affidavit as Annexure R-1, through which the request of the petitioners for issuance of arms licence has been rejected.

8. The attention of this Court was also drawn to the Office Order dated 01.09.2026 (Annexure R-2), passed by the Commissioner of Police, Jhajjar, whereby detailed directions have been issued requiring the licensing authority, in the event of rejection of an application for grant or renewal of an arms licence, to apprise the applicant of the reasons for such rejection, so that no applicant is left unaware of the grounds on which his/her application has been declined. Accordingly, a direction has been issued to communicate a reasoned order to the applicant. The said order is extracted hereinafter:-

“OFFICE ORDER

Subject: Communication of reasons for rejection applications for grant/renewal of Arms Licence.

It has been observed that applications relating to the grant or renewal of arms licences are liable to be rejected by the competent authority for various reasons permissible under the provisions of the Arms Act, 1959 and the Arms Rules, 2016.

It is hereby directed that every applicant whose application for the grant or renewal of an arms licence is rejected shall have the right to know the reasons for such rejection. No applicant shall be left unaware of the grounds on which his or her application has been declined.

Accordingly, whenever an application for the grant or renewal of an arms licence is rejected, the competent authority and the branch concerned shall ensure that brief, clear and specific reasons for such rejection are duly recorded and communicated to the applicant.

The reasons so communicated shall be relevant to the decision and shall not be vague, cryptic or confined to a bare statement that the application has been rejected. Where the rejection is founded upon a report, a verification, a statutory



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disqualification or any other legally permissible ground, the decision shall indicate the material ground forming the basis of the rejection, subject to any restriction on disclosure prescribed by law.

This procedure shall be followed in all cases so as to ensure transparency, fairness and compliance with the principles of natural justice, and to enable the applicant to avail such remedy of appeal or review, or such other legal remedy, as may be available under law.

The officials concerned shall further ensure that the reasons recorded in the office file or order and the reasons communicated through the SARAL Portal are consistent with each other.

This order shall come into force with immediate effect.”

9. Further it is imperative to have a reference to Haryana Government notification dated 08.03.2024, whereby in exercise of the powers conferred by clause (d) of Sub-section (1) of Section 2 of the Arms Act. 1959 (Central Act 54 of 1959), the Governor of Haryana has appointed the Deputy Commissioner of Police, (HQ) to exercise the powers and perform the functions and duties of the District Magistrate under the said Act, in the Commissionerate of Police of Jhajjar.

10. It appears that the authority concerned has now taken cognizance of the procedural *locuna* and has initiated corrective measures, not only to ensure that applications are decided in accordance with the requirements of Section 14 of the Arms Act, 1959, but also to ensure adherence to the procedure to be followed while deciding such applications.

11. In view of the above, no further direction is required to be passed by this Court. The instant petition is accordingly **closed**.



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12. The petitioners are, however, granted liberty to challenge the aforesaid order dated 03.09.2026 (Annexure R-1) by taking apposite remedy as available to them under the Arms Act, 1959.

13. Further, a direction is also issued upon the Registrar General of this Court to circulate a copy of the this order as well as the office order dated 01.09.2026 (Annexure R-2) passed by the Commissioner of Police, Jhajjar to all the Police Commissioners of the Police Commissionerates in the State of Haryana, for their perusal and consideration, with a view to frame an apposite Standard Operating Procedure (SOP) to deal with and decide the arms licence applications, which are now being received through Saral Portal.

14. **Disposed of** accordingly.

15. All pending application(s), if any, also stand **disposed** of accordingly.

September 07, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No