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WP-40914-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE MANINDER S. BHATTI

ON THE 6th OF OCTOBER, 2026WRIT PETITION No. 40914 of 2026

CNR No.: MPHC010725002026

*MOHD SAOOD**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Vishal Vincent Rajendra Daniel - Advocate for the petitioner.

Shri Mukund Agrawal - G.A. for the respondent/State.

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ORDER

This petition has been filed by the petitioner under Article 226 of the Constitution of India while praying for following reliefs:

"7.1 That, this Hon'ble Court be pleased to issue a Writ/Direction in the nature of certiorari quashing the order dt: 02.04.2026 passed by the Learned Collector - Bhopal, in Case No.1005/B-121/2025-26.

7.2 That, this Hon'ble Court be pleased to issue an appropriate Writ/Order or Direction restoring the final Order dated 18.03.2026 (Annexure P/6) passed by Respondent No. 2, whereby the Petitioner's Arms License No. 33/ Shahjahanabad/Bhopal/2012 was converted to Self-Defense Category with decreased ammunition limit.

7.3 That, this Hon'ble Court be pleased to requisition the original record/case-file and have it placed before itself for the purpose of perusal and inspection in the interest of Justice and incomplete



accordance with law.

7.4 That, any other relief, writ or direction which this Hon'ble Court may deem fit and proper looking into the facts and circumstances of the case be awarded to the petitioner including the cost of litigation."

2. Learned counsel for the petitioner contends that the petitioner has assailed the order dated 02.04.2026, contained in Annexure P/9, passed by the Collector & District Magistrate, Bhopal, by which the arms licence granted in favour of the petitioner, bearing Licence No. 33/Shahjahanabad/Bhopal/2012 (UIN:203540004096332015), has been cancelled. It is contended by the counsel that the petitioner was issued a licence in the sports category. The said licence was issued in prescribed Form III of Schedule III appended to the Arms Rules, 2016. During the currency of the licence, the petitioner was issued a show cause notice and was called upon to explain as to why, after utilisation of the cartridges, the empty cartridges had not been produced before the competent authority for the purposes of updating the records. The petitioner submitted his response to the said show-cause notice and also intimated the authority that, apart from the sports category quota, the petitioner was in need of the licence for the purposes of self-defence as well, inasmuch as he was participating in politics and was a Councillor as well in one of the constituencies of Bhopal. Considering the petitioner's response, an inquiry report was submitted by a three-member committee, wherein it was recommended that the category of the petitioner's licence be converted from the sports category to the self-defence category. On the basis of said recommendation, the District Magistrate passed an order dated



18.03.2026 contained in Annexure P/6, permitting conversion of the category of licence from sports category to the self-defence category. Later on, another report by the same three-member committee was submitted, which is contained in Annexure P/8 and in the said report, it was recommended that the petitioner was an inactive shooter and had not participated in any of the national or international sporting events. Therefore, it was proposed that the arms licence granted in favour of the present petitioner be cancelled. Thereafter, the District Magistrate passed an order dated 02.04.2026 contained in Annexure P/9 whereby the arms licence was cancelled. It is contended by the counsel for the petitioner that the order dated 02.04.2026 contained in Annexure P/9 has been passed in complete ignorance of the previous order dated 18.03.2026 contained in Annexure P/6. The said order is still holding the field and has not been interfered with by any authority or even by the same authority. It appears that the same authorities, in the case in hand, have proceeded simultaneously, and the subsequent proceedings which are contained in Annexure P/8 and Annexure P/9 have been taken recourse to the complete oblivion of the previous inquiry report contained in Annexure P/5 as well as the previous order dated 18.03.2026 contained in Annexure P/6. In view of the aforesaid, counsel submits that the same deserves to be quashed.

3. *Per contra*, learned counsel for the respondent/State submits that, as the petitioner was found to be an inactive sportsperson and was not utilising the arms as well as the cartridges, it was considered appropriate to cancel the arms licence. Accordingly, it is contended that the District Magistrate has



rightly cancelled the licence on the basis of the report contained in Annexure P/8.

4. Considering the submissions advanced on behalf of the parties, the record reflects that in the case in hand, an arms licence vide Licence No. 33/Shahjahanabad/ Bhopal/2012 (UIN:203540004096332015) was issued in favour of the present petitioner. During its currency, a show-cause notice was issued to the petitioner, to which he submitted his reply. The petitioner also apprised the authority regarding the need for the licence for other purposes, like self-defence, as the petitioner was subsequently involved in politics. The said request was taken up, and the licence which was already granted in favour of the petitioner was converted from sports category to self-defence category. The said order dated 18.03.2026 contained in Annexure P/6 has not been set aside by any higher authority, nor recalled by the authority which passed the same. However, it appears that the same three-member committee subsequently submitted another report, which is contained in Annexure P/8, which ultimately ensued in the passing of the order contained in Annexure P/9.

5. A perusal of the report contained in Annexure P/8 and the order dated 02.04.2026 contained in Annexure P/9 reveals that the same three-member committee has not even referred to its earlier report which is mentioned in Annexure P/5. Simultaneously, the District Magistrate has also not referred to his previous order dated 18.03.2026 contained in Annexure P/6 and has passed the subsequent order dated 02.04.2026 contained in Annexure P/9. As the order dated 02.04.2026 contained in Annexure P/9 has



been passed in complete ignorance of the previous order dated 18.03.2026 contained in Annexure P/6, this Court is of the considered view that the subsequent order dated 02.04.2026 contained in Annexure P/9 is not sustainable.

6. Resultantly, the order dated 02.04.2026 contained in Annexure P/9 stands quashed. Though the order dated 18.03.2026 contained in Annexure P/6 has not been interfered with either by the same authority or by any appellate authority, it would be conducive to the interest of justice that the validity of conversion of the category of the licence be examined by the issuing authority inasmuch as *prima facie*, neither the Arms Act nor the Rules contain any provision for conversion of the nature of licence, and Section 17 of the Arms Act only permits variation of conditions of a licence. However, Section 17 of the Arms Act nowhere stipulates that the nature of a licence itself can be converted by the authority component.

7. In view of the aforesaid, without interfering with the order dated 18.03.2026 contained in Annexure P/6, the present Writ Petition stands disposed of with a direction to the District Magistrate, Bhopal to take a decision regarding the validity of conversion of arms licence within a period of 60 days from the date of appearance of the present petitioner by passing a well-reasoned and speaking order in accordance with law.

8. The District Magistrate, Bhopal shall be at liberty to issue a licence under the relevant category, if the petitioner is able to demonstrate his eligibility and establish the need for the same in accordance with law.

9. The decision shall be taken by the District Magistrate, Bhopal



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without being influenced with the order dated 02.04.2026 contained in Annexure P/9. If ultimately, the District Magistrate, Bhopal comes to the conclusion that the petitioner is entitled to an arms licence in a particular category, he shall be at liberty to pass an order afresh.

10. Till such an order is passed, the order dated 18.03.2026 contained in Annexure P/6 shall remain in force, and remain subject to the proposed order which is to be passed by the District Magistrate in terms of this order.

11. The petitioner is directed to appear before the District Magistrate, Bhopal on 26.10.2026.

12. With the aforesaid, the present Writ Petition stands **disposed of**.

(MANINDER S. BHATTI)
JUDGE

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