



107 **CRM-M-17922-2024**

GURBHEJ SINGH ALIAS BHEJA VS STATE OF PUNJAB

Present:- Mr.K.S. Brar, Advocate for the petitioner.

By way of present petition, prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.32 dated 25.03.2024, under Sections 307, 506, 188 IPC and Sections 25 and 27 of Arms Act, 1959, at Police Station Vairo Ke, District Fazilka, wherein the allegation is that one of the accomplices of the petitioner, namely, Prabhjot Singh carrying pistol in his hand fired shot upon the complainant, which hit him on his right and left side thighs and one fire shot hit on the central finger of his left hand and when one Gurvinder Singh came forward to save him then Karamjit Singh took pistol from Prabhjot Singh and started firing upon Gurvinder Singh, which hit on his right side of the thigh.

Notice of motion.

Mr. Kewal Singh, Addl. A.G, Punjab accepts notice on behalf of the respondent-State.

It may be noticed that on daily basis, number of cases are being countered by this Court, wherein persons are carrying fire arms openly and inflicting injuries to others.

A division bench of this Court in **"Reet Mohinder Singh v. State of Punjab", reported as 2019(5) R.C.R.(Civil) 580**, being cognizant of the unbridled use of firearms, issued directions which are reproduced here under:



“28. Accordingly, the writ petitions are disposed of with the following mandatory directions:-

*vi) No person, throughout the States of Punjab, Hayana and Union Territory, Chandigarh, shall carry any fire-arm to a fair, religious procession/marriage procession or other public assemblage or within the campus or precincts of any educational institution. ***”*

It appears that neither the rules and regulation for allotment of armed license are being enforced strictly in Punjab nor the aforesaid directions issued by this Court are being implemented in letter and spirit.

This Court has been made aware that Punjab Government has issued order / directions dated 13.11.2022 to ban the use and display of firearms in public places and on social media which was widely publicised in the media as well and accordingly officers were also instructed to conduct special and surprise visits in the areas falling under their respective jurisdiction. Despite that no visible change appears on the ground and while on one hand use of firearms in marriages and in public functions is widespread, on the other hand, licensed firearms are also being used to commit crimes.

In view of the above, the Director General of Police, Punjab is requested to file his own affidavit before the next date to the following effects:

- i) as to whether there is any protocol, guideline or criteria under the Arms Act, 1959, about granting of armed license in Punjab**



- ii) How many armed licenses have been issued in Punjab in the past 5 years in addition to disclosing the count under which head they were issued. Sample for the same is attached below:

Head	Count
Total Arms Licenses Issued	500
For self defence	100
For protection of Crop	200
** Add other heads	**

- iii) How many surprise visits have been conducted in each district since 13.11.2022 to check the display of firearms in public functions?
- iv) What are the steps being taken to ensure that the report of the officer in charge of the nearest police station as required under section 13(2) of the Arms Act, 1959 is not being manipulated?
- v) Any status/compliance report prepared in pursuance of instructions/ directions dated 13.11.2012 also be placed on record.

List on 26.04.2024.

10.04.2024
sonika

(HARKESH MANUJA)
JUDGE