**Accquital in a criminal case itself cannot be the sole ground for restoration of arms license: Allahabad High Court**

The issue under consideration is decided in the following terms. The arms license suspended/canceled on the ground of pendency of a criminal case/cases against the licensee, the subsequent acquittal itself be not a sole ground for restoration of the arms license, but the nature of acquittal would still remain a ground for consideration to continue with the suspension/cancellation particularly where the offenses are against the State, an offense against public tranquillity, offenses affecting the human body, offenses affecting life, and sexual offenses, etc. Such an observation was made by the **Hon’ble Allahabad High Court** before **Hon’ble Justice Saurabh Shyam Shamshery** in the matter of **Indrajeet Singh vs State of U.P. & ors [WRIT - C No. - 4947 of 2019]** on 22.10.2021.

The facts of the case were that the arms license of the petitioner was suspended due to a criminal case registered against him using the possessed weapon for an attempt to murder. It was the contention of the petitioner that as he has been acquitted in such a criminal case.

The **Hon’ble High Court** referred to the judgment given in the case of **Deputy Inspector General of Police and another Vs. S.Samuthiram, 2013 (1) SCC 598** in which it was held that “*The expressions ‘ honorable acquittal’, ‘acquitted of blame’, ‘fully exonerated’ are unknown to the Code of Criminal Procedure or the Penal Code, which are coined by judicial pronouncements. It is difficult to define precisely what is meant by the expression ‘honorably acquitted’. When the accused is acquitted after full consideration of prosecution evidence and that the prosecution had miserably failed to prove the charges leveled against the accused, it can possibly be said that the accused was honorably acquitted*”

Further, the **Hon’ble High Court** observed that such acquittal was not an honorable acquittal and was because the prosecution was not able to prove beyond a reasonable doubt. Therefore, considering the fact that there was a misuse of the firearm and that basis of acquittal was granting of the benefit of the doubt and it was not a case of honorable acquittal and above all, it was a case of attempt to murder, the licensing authority has sufficient material to hold that it was not in the interest of public order and for the security of public peace to continue the arms license with the petitioner and it was rightly canceled.

Finally, the **Hon’ble High Court** dismissed the appeal in view of the aforesaid reasons.