

Attorney Purav Bhatt Successfully Argues for Dismissals of Felony Gun Charges

October 30, 2020

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Attorney Purav Bhatt successfully argued for the dismissal of felony charges against three (3) of his clients this last week. All three (3) individuals were charged with Aggravated Unlawful Use of Weapons (AUUW) under 720 ILCS 5/24-1.6. In Illinois, Aggravated Unlawful Use of Weapon is a class 4 felony for a first offense and punishable by 1-3 years in the Illinois Department of Corrections and a $25,000 fine.

After filing motions to dismiss the indictment prior to preliminary hearings and using the case of People v. Wiggins, Mr. Bhatt effectively secured dismissals of his client?s charges. In Wiggins, the court ruled that a resident of another state and is not legally required to possess an Illinois FOID or Illinois conceal and carry license/card as long as the defendant was compliant with his or her home state?s firearm requirements at the time of his or her arrest and was not a resident of Illinois and therefore not subject to Illinois firearm requirements.

Attorney Purav Bhatt further argued that the Illinois Firearm Owner Identification Act (FOID) under 430 ILCS

66/40(e) states that nothing in the law prohibits a non-resident from transporting a concealed firearm within his or her vehicle in Illinois, if the concealed firearm remains within his or her vehicle and the non-resident: (1) Is not prohibited from owning or possessing a firearm under federal law; (2) Is eligible to carry a firearm in public under the laws of his or her state or territory or residence, as evidenced by the possession of a concealed carry license or permit issued by his or her state or residence, if applicable; and (3) Is not in possession of a license under this Act.

After arguments, the court ruled that each of the defendant?s had not violated Illinois firearm laws and required the State?s Attorney?s Office to dismiss charges against the accused. Attorney Purav Bhatt also requested that the prosecutor?s office instruct the Chicago Police Department and the officers involved in the arrests to educate themselves on the current Illinois law so that innocent gun owners are not subjected to the stress, cost and humiliation of being arrested.

After charges were dismissed one of his client?s wrote, ?Don?t even know where to begin but this man gave me and my husband our hope back!!! Me and my husband are from Indiana and we had recently visited Chicago on our 1 anniversary the cops pulled us over and we had guns but we were licensed to carry learned that they did not care about them we went to jail and was facing felony charges!!! We were devastated never been in trouble! Thanks to Mr Bhatt charges were dropped and we can enjoy our family. Thank you.?

The Law Office of Purav Bhatt is proud to represent individuals and families who have been charged criminally in state and federal courts throughout Chicago and Illinois. Criminal attorney Purav Bhatt represents individuals charged with felony and misdemeanor offenses. Purav Bhatt concentrates his practice on drug crimes, weapons offenses and financial crimes. As a former prosecutor, he has worked with law enforcement and is familiar with their tactics and strategies in criminal prosecutions.

Purav Bhatt is the founder of the Law Office of Purav Bhatt and has been honored to represent clients and their families for over a decade.

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For more information about Attorney SEO, contact the company here:Attorney SEOJack Lombardicontact@chicagowebsitedesignseocompany.com

Attorney SEO

Website: https://chicagowebsitedesignseocompany.com/attorney-website-design-and-seo/

Email: contact@chicagowebsitedesignseocompany.com

