

ORDER BELOW EXH.372 IN SESSIONS CASE NO.38/09.

1. This is an application dated 19/03/2012 submitted by Superintendent of Central Jail, Ahmedabad requesting to pass necessary orders for the production of the accused- **Safdarhusen Jahirulhusen Nagori, before the Court of the Judicial Magistrate First Class, Ujjain (M.P.) , on 10/04/2012.**

2. Facts of the application :-

2.1 It is stated that the aforesaid accused is at present in the Central Jail, Ahmedabad, in Judicial Custody in the Case No.38/09 (Serial Bomb Blast Case).

2.2 It is further stated that another case bearing C.C.No.4554/11 (Old Case No.140/01) is pending before the the Judicial Magistrate First Class, Ujjain (M.P.), against the present accused. The accused is required to be produced before the said Court on 10/04/2012.

2.3 A letter for Cri.Case No.4554/11 (Old Case No.140/01) dtd.15/03/2012 requiring the officer in-charge of the prison to produce the accused before the J.M.F.C. Court at Ujjain (M.P.) is attached with the application. It is requested to pass necessary order to produce the above accused before the said court.

3. Merits of the case :-

The letter for Cri.Case No.4554/11 (Old Case No.140/01) dtd.15/03/12 sent by the J.M.F.C. Court, Ujjain (M.P.), attached with the application, is marked as Exh.372/1. On perusing the summons, it transpires that the above accused is required to be produced on 10/04/2012, but, at the same time, it is not mentioned in the letter for what purpose the accused is required. Moreover, the concerned Court has sent only the letter and not the order in Form No.36 which is required under Sec.267 of Criminal Procedure Code, 1973. Hence, considering the above mentioned fact and circumstances, I pass the following order in the interest of justice:-

ORDER

This application is hereby dismissed.

Copy of this order shall be sent to the Jail Authority accordingly.

Pronounced in the Open Court on this 31st day of March-2012.

(V.B.MAYANI)
SPECIAL JUDGE,
CBI CT.NO.1 & 2,AHMEDABAD,
& DESIGNATED COURT FOR
SERIAL BOMB BLAST CASE.