

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CRIMINAL APPEAL NO. 1640 OF 2010

THANA SINGH

Appellant (s)

VERSUS

CENTRAL BUREAU OF NARCOTICS
(With office report)

Respondent(s)

Date: 08/11/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Appellant(s) Mr. Sunil Verma, Adv.

Mr. Sapam Biswajit Meitei, Adv.
Mr. Pradeep Kumar Kaushik, Adv.
Mr. Prasoon Kumar Mishra, Adv.
Mr. Sanjay Sharawat, Adv.

For Respondent(s)

State of Karnataka Ms. Anitha Shenoy, Adv. (AC)

UOI

Mr. P.P. Malhotra, ASG
Mr. J.S. Atri, Sr. Adv.
Ms. Rashmi Malhotra, Adv.
Mr. R.K. Rathore, Adv.
Mr. Yasir Rauf, Adv.
Mr. D.S. Mahra, Adv.
Mr. B.K. Prasad, Adv.
Ms. Priyanka Bharihoke, Adv.
Mr. Shreekant N. Terdal, Adv.
Mr. Anil Katiyar, Adv.

State of Rajasthan

Dr. Manish Singhvi AAG
Mr. Amit Lubhaya, Adv.
Mr. Irshad Ahmad, Adv.

Rajasthan H.C.

Mr. Sunil K. Jain, Adv.
Mr. Sachin Sharma, Adv.
Mr. Madhur Jain, Adv.

State of Punjab Mr. Ajay Bansal, AAG, Punjab

Mr. Devendra Singh, Adv.
Mr. Kuldeep Singh, Adv.
Mr. Gaurav Yadav, Adv.

:2:

Mr. Gunnam Venkateswara Rao, Adv.

Allahabad H.C.

Mr. Ashok K. Srivastava, Adv.

Delhi H.C.

Ms. Neelam Jain, Adv.
Ms. Mansha Monga, Adv.
for Mr. A.D.N. Rao, Adv.

Mr. C.D. Singh, Adv.
Ms. Sakshi Kakkar, Adv.

Mr. Ashok Mathur, Adv.

State of
Chhattisgarh

Mr. Atul Jha, Adv.
Mr. Sandeep Jha, Adv.
Mr. D.K. Sinha, Adv.

Mr. G. Prakash, Adv.

Mr. S. Gowthaman, Adv.

Mr. P.I. Jose, Adv.
Mr. Anupam Mishra, Adv.

State of Bihar

Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.

State of Jharkhand

Mr. Gopal Prasad, Adv.

State of Tripura Mr. Gopal Singh, Adv.

Mr. Rituraj Biswas, Adv.

State of Gujarat Ms. Pinky Behra, Adv.

Ms. Hemantika Wahi, Adv.
Ms. Jesal, Adv.
Ms. Nandani Gupta, Adv.

Mr. Naresh K Sharma, Adv.

State of Meghalaya

Mr. Ranjan Mukherjee, Adv.
Mr. S. Bhowmick, Adv.
Mr. S.C. Ghosh, Adv.

State of Manipur Mr. Khwairakpam Nobin Singh, Adv.
Mr. Sapam Biswajit Meitei, Adv.

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State of Arunachal Pradesh Mr. Anil Shrivastav, Adv.
Mr. Rituraj Biswas, Adv.

State of Assam Ms. Vartika Sahay Walia, Adv.
for M/s Corporate Law Group.

State of Uttarakhand Mr. Rahul Verma, Adv.
Mr. Abhishek Atrey, Adv.
Mr. Aishverya shandilya, Adv.

UT of Chandigarh Mr. Jatinder Kumar Bhatia, Adv.-on-record

State of Tamil Nadu Mr. B. Balaji, Adv.
Mr. R. Rakesh Sharma, Adv.
Mr. P.Krishnamoorthy, Adv.
Mr. M. Yogesh Kanna, Adv.
for Mr. S Thananjayan, Adv.

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Ms. Asha G Nair, Adv.

Ms. Vibha Datta Makhija, Adv.

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Mr. Rupesh Gupta, Adv.
Ms. Mandakini Sharma, Adv.
Mr. Gautam Dhamija, Adv.
Mr. P.V. Yogeswaran, Adv.
Mr. Surendra Kr. Maurya, Adv.
Mr. Heshu Kayina, Adv.

State of Orissa Mr. Suresh Ch. Tripathy, Adv.

State of West Bengal Mr. Raja Chatterjee, Adv.
Mr. Abhijit Sengupta, Adv.
Mr. B.P. Yadav, Adv.
Ms. Runamoni Bhuyan, Adv.
Mr. Anip Sachthey, Adv.
Mr. Mohit Paul, Adv.
Ms. Shagun Matta, Adv.

Calcutta HC Mr. G.S. Chatterjee, Adv.

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State of Nagaland Mr. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Rokokieno Mor, Adv.
Mr. Balaji Srinivasan, Adv.

U.T. of Pondichery Mr. V.G. Pragasam, Adv.
Mr. S.J. Aristotle, Adv
Mr. Prabu Rama Subramanian, Adv.

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Mr. Yusuf Khan, Adv.
Ms. Movita, Adv.
Mr. Avneesh Arputham, Adv.
for M/s Arputham Aruna & Co.

State of Haryana Mr. Manjit Singh, AAG
Mr. Tarjit Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.

State of Goa Mr. Siddharth Bhatnagar, Adv.
Mr. Pawan Kumar Bansal, Adv.
for Mr. T. Mahipal, Adv.

State of A.P. Mr. D. Mahesh Babu, Adv.
Mr. Mayur R. Shah, Adv.
Mr. Amit K. Nair, Adv.
Mr. M. Balasudu, Adv.
Ms. Suchitra Hrangkhawl, Adv.

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Mr. M. Sowri Dev, Adv.

State of J & K Mr. Sunil Fernandes, Adv.
 Ms. Vernika Tomar, Adv.
 Ms. Astha Sharma, Adv.
 Mr. Shashank K. Lal, Adv.
 Ms. Insha Mir, Adv.

State of Kerala Ms. Bina Madhavan, Adv.

H.C. Of Kerala Mr. T.G.N. Nair, Adv.
 Mr. K.N. Madhusoodhanan, Adv.

 Mr. Avijit Bhattacharjee, Adv.

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H.C. Of Bombay Mr. Aniruddha P. Mayee, Adv.
& Gujarat Mr. Charudatta Mahindrakar, Adv.

H.C. Of M.P. Mr. Sunny Choudhary, Adv.
 Mr. Abhimanyu, Adv.
 Ms. Sakshi, Adv.

UPON hearing counsel the Court made the following
O R D E R

Having heard the learned Amicus Curiae and perused the affidavits filed on behalf of some of the High Courts, we feel that in order to find out some effective solution for overcoming delays in trial of cases involving the Narcotic Drugs and Psychotropic Substances Act, 1985, it would be expedient to ascertain the views of the Authorities involved in investigation and prosecution of such cases.

Accordingly, we request the Director General, Narcotics Control Bureau, Ministry of Home Affairs, R.K. Puram, New Delhi and the senior-most Officer-in-charge of the Investigations and Prosecution for offences under the said Act, to appear in person and apprise the Court about the reasons for delay in such trials. They may also bring with them their suggestions on the issue. In order to have a first hand information about the causes for delay in trials, we also request the District & Sessions Judge, Saket, New Delhi, to appear in person and apprise us of the steps taken for expediting trials in such cases.

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All the said officers shall appear on 20th November, 2012
at 2.00 p.m.

A copy of this order shall be supplied to Mr. P.P.
Malhotra, learned Additional Solicitor General, for onward
transmission to the officers concerned. The office shall also
communicate this order to the said officers.

| (VINOD LAKHINA)
| Court Master

| | (KUSUM GULATI)
| | Court Master

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