

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Cr1.A.No. 710-714/1999

State of Gujarat

Appellant

VERSUS

Maqsud Ahmed & Ors.
(With appln. for stay)
WITH

Respondents

SLP(Cr1.)No.1900/2000 with appln. for exedm. from filing OT and bail
and office report)
Cr1.M.P.4721/2000 In SLP(Cr1.)Mo.197/2000 (for directions and office
report)

Date : 9.1.2001. This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T.THOMAS
HON'BLE MR. JUSTICE R.P.SETHI

For Appellant (s)@@
CCCCCCCCCCCCCCCC

In 710-714: Mr. S.K.Dholakia,Sr.Adv.
Ms. H.Wahi,adv.
Ms. Sunita Hazarika,adv.

In 1900 Mr. H.A.Raichura,adv.
Mr. K.L.Taneja,adv.

In Crp.4721 Mr. W.A.Ansari,adv.
Mr. M.M.Sheikh,adv.
Mr. Varinder Kumar,adv.

For Respondent (s)@@
CCCCCCCCCCCCCCCC

in 710-714: Mr. Ranjit Kumar,Sr.Adv.
Mr. H.A.Raichura,adv.

In 1900&Crp.4721: Ms. H.Wahi,adv.
Ms.Sunita Hazarika,adv.

UPON hearing counsel Court made the following
ORDER

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

In SLP(Cr1.)1900/2000 and Cr1.M.P.4721/2000 In SLP(Cr1.)197/2000@@
CC

List on 10.1.2001.

.SP1

(Suman Wadhwa)
PA to Addl.Regr.

(H.K.Bhatia)
Court Master

.PA
.PL55

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 710-714 OF 1999 @@
CC

State of Gujarat ... Appellant

vs.

Maqsud Ahmed & Ors. ... Respondents

ORDER@@
CCCCC

.....L.....I.....T.....T.....T.....T.....T.....T.....T.J
.SP2

Mr. S.K.Dholakia, learned senior counsel submitted that all the accused arrayed before the Designated Court for one common thing as between them i.e. Sec.120-B for committing criminal offences including atleast one of the TADA offences. If that be so, the State need not vex its mind as to the impugned order. But Mr. Ranjit Kumar, learned senior counsel submitted that it is possible for the accused to show that many accused are not involving with any of the TADA offences even with the help of Sec.120-B IPC. Whatever be the position, we have already held that any question of law raised before the trial court will be decided by the trial judge in accordance with law as it stands on the day when he passes the judgment. After all, the impugned order was passed at the interlocutory stage. It would not trammel the Designated Judge in reaching the final conclusion in accordance with the correct law as it then stands.

-2-

With these observations these appeals are disposed of.

.SP1

.....J.
(K.T. Thomas)

New Delhi;
January 9, 2001.

.....J.
(R.P.Sethi)

.PA
ITEM No.101 (Part Proceeding) COURT NO.5 SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CrI.A.No. 710-714/1999

State of Gujarat Appellant

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Maqsood Ahmed & Ors.
(With appln. for stay)
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For Respondent (s)@@
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in 710-714: Mr. Ranjit Kumar, Sr. Adv.
Mr. H.A.Raichura, adv.

In 1900&Crp.4721: Ms. H.Wahi, adv.
Ms.Sunita Hazarika, adv.

UPON hearing counsel Court made the following
ORDER

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.SP2

In Criminal Appeal Nos.710-714/99@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Appeals are disposed of.

.SP1

(Suman Wadhwa)
PA to Addl.Regr.

(H.K.Bhatia)
Court Master

Signed order is placed on the file.