

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS  
CRIMINAL APPEAL NO(s). 547 OF 2003

STATE OF MAHARASHTRA &amp; ORS.

Appellant (s)

VERSUS

GULAM KADAR GULAM RASOOL

Respondent(s)

(With office report )

Date: 19/06/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT  
HON'BLE MR. JUSTICE G.S. SINGHVI  
[VACATION BENCH]

For Appellant(s) Mr. Sanjay Kharde, Adv.for  
Mr. Ravindra Keshavrao Adsure,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

The Appeal is dismissed in terms of the signed order.

(Parveen Kr. Chawla)  
Court Master

(Anand Singh)  
Court Master

[Signed Order is placed on the File]  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.547 OF 2003

State of Maharashtra &amp; Others

..Appellants

Versus

Gulam Kadar Gulam Rasool

..Respondent

ORDER

Heard learned counsel for the appellants.

The order of detention was passed in the year 2002 and the impugned order is dated 26th June, 2002. Though, we find some substance in the plea of learned counsel for the appellants-State that there is scope for taking a different

view in the matter in view of what has been stated in Section 3(1)(iii) of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (for short 'COFEPOSA Act'), leaving the question of law open, we dismiss this appeal.

.....J.  
[DR.ARIJIT PASAYAT]

NEW DELHI;  
JUNE 19, 2008

.....J.  
[G.S.SINGHVI]