

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

Petition(s) for Special Leave to Appeal (Crl.) No. 701/2001

(From the judgement and order dated 02/02/2001 in CRLA 180/2001
of The HIGH COURT OF BOMBAY)

AMERICAN TOOLS COMPANIES INC

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for stay, exemption from filing c/c of the impugned
Judgment and office report)

Date : 09/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE S.N. PHUKAN
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. P. Chidambaram, Sr. Adv.
Mr. R.N. Karanjawala, Adv.
Mr. G.K. Banerjee, Adv.
Mr. Huzefa Nasikwala, Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Nandini Gore, Adv.
Ms. Avaniitka Keswani, Adv.
Mrs Manik Karanjawala, Adv.

For Respondent (s) Mr. U.J. Makhija, Adv.
Mr. Shri Narain, Adv.
Mr. Sandeep Narain, Adv.
Ms. Anjali, Adv.
For M/s. S. Narain & Co., Advs.

Mr. S.S. Shinde, Adv.
Mr. S.V. Deshpande, Adv.

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

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Leave granted.

The criminal appeal is allowed.

No order as to costs.

(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No. 471 of 2001@@
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(Arising out of S.L.P. (Crl.) No.701 of 2001)

American Tools Companies Inc. ...Appellant (s)

Versus~

State of Maharashtra & Ors.Respondent (s)

O R D E R@@
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Leave granted.

We are of the view that in this case, pending the receipt of the investigation report, the goods ought not to have been released to Respondent Nos.2,3 and 4. On their behalf, it is submitted that the investigation report is being delayed. For the purposes of ensuring that it is given expeditiously, Respondent Nos.2,3 and 4 may take such steps as are appropriate and may, after such report has been received and considered by the learned Magistrate, make an application for release of the goods, which shall be decided on its merits. As far as this impugned order is concerned, it must be set aside.

The appeal is allowed and the order under challenge is set aside.

No order as to costs

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.....J.
(S.P. Bharucha)@@
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.....J.
(S.N. Phukan)@@
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.....J.
(Y.K. Sabharwal)@@
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New Delhi,
April 09, 2001.