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SLP(Crl.)No. 892 OF 2003
ITEM No.8

Court No.10

SECTION II

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. 892/2003
(From the judgement and order dated 14/11/2002 in CRLMP 9540/02
of The HIGH COURT OF KERALA AT ERNAKULAM)

KISHORE SINGH

Petitioner (s)

VERSUS

ASSISTANT COLLECTOR, CUSTOMS & ANR.

Respondent (s)

(With Appln(s). for bail)

Date : 10/03/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s)

Mr. C.N. Sree Kumar,Adv.
Mr. M.L. Shyjatha,Adv.

For Respondent (s)

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

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Counsel for the petitioner submits that strict rigour of amended section 37 is not applicable in the case of petitioner's application for bail as the petitioner has been charged under section 20, 28, 29 and 30 of N.D.P.S. Act and not under section 19 or section 24 or section 27A of the N.D.P.S. Act. It is submitted that in the impugned judgment, the learned Single Judge has not taken into consideration the changes brought about by the recent amendment to section 37 of the Act while considering the application for bail. We are not inclined to interfere with the impugned order for this reason. The SLP stands dismissed. However, it would be open to the petitioner to move for bail again before the appropriate court.

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(Y.P.Dhamija)
Court Master

(Veera Verma)
Court Master