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SLP(Crl.)No. 961 OF 2001

ITEM No.32

Court No. 5

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. 961/2001

(From the judgement and order dated 05/02/2001 in CRLW 536/2000
of The HIGH COURT OF DELHI AT N. DELHI)

VINOD KUMAR

Petitioner (s)

VERSUS

U.O.I. AND ORS.

Respondent (s)

(With Appln(s). for exemption from filing c/c of the impugned Judgment)
(With Office Report)

Date : 20/04/2001 This Petition was called on for hearing today.

CORAM :

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

For Petitioner (s) Mr. R.K. Jain,Sr.Adv.
Mr. Harjinder Singh,Adv.

For Respondent (s)

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

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As the petitioner was detained preventively under the National Security Act he filed the writ petition challenging the detention. He has since been released on the expiry of the period of detention. We asked Mr. R.K. Jain, learned senior counsel for the petitioner as to why we should retain this special leave petition if the detention will not chase the petitioner for consequences under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (SAFEMA). It is submitted that no consequential action can follow under the provisions of that Act. But he submitted that ..2/-

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the said detention would stigmatise the petitioner. As this is not a conviction passed against him and was only a preventive detention there would not be any stigma attached to him unless there is any statutory fall out. We make it clear that there is no stigma on the petitioner on the facts of this particular case on account of the said detention. The question of law raised, if any, in this special leave petition is not decided by us. With these observations this Special Leave Petition is disposed of.

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(N.K. Goel)
Court Master

(H.K. Bhatia)
Court Master