

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 851 OF 2006

MID-DAY MULTIMEDIA LTD. & ORS.

Appellant (s)

VERSUS

MUSHTAQ MOOSA TARANI & ORS.

Respondent(s)

(For Directions)

Date: 29/09/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Appellant(s)

Dr. Rajeev Dhavan, Sr.Adv.

Mr. Nikhil Nayyar,Adv.

Mr. Ankit Singhal, Adv.

For Respondent(s)

Dr. Nafis A. Siddiqui,Adv.

Mr. Krishan Mahajan, Adv.

Mr. R.S.Rana, Adv.

Mr. Ashish, Adv.

Mr. V.K. Verma ,Adv

Mr. Trideep Pais, Adv.

Mr. P.Venugopal, Adv.

Mr. Harshad V.Hameed, Adv.

For M/S. K.J. John & Co. ,Adv

UPON hearing counsel the Court made the following

O R D E R

The Civil Appeal is disposed of in terms of the Signed Order.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.851 OF 2006

Mid-Day Multimedia Ltd. & Ors.

...Appellant(

s)

Versus

Mushtaq Moosa Tarani & Ors.

...Respondent

(s)

O R D E R

We have heard counsel for the parties.

The operative part of the impugned judgment is as follows :

"In the circumstances, we allow this petition to the extent

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as

prayed in the petition, namely that the film shall not be released,
screened

and exhibited until the judgment in TADA Case BBC 1 of 1993 is

delivered. Rule is accordingly made absolute though without any order
er as to

costs."

We are informed that there are large number of accused in the said case numbering about 189. Out of them, 123 have been tried. The Trial Court has already passed orders of conviction in some of the cases and is in the process of pronouncing its verdict in regard to the rest. The cases of a few accused are taken up every day and the order pronounced. It, therefore, appears that it will take some time before the Trial Court pronounces its order of conviction or acquittal in respect of all the accused.

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Counsel for the appellant informs us that even the appellant may take some time to make arrangements to release the film, and it may take about four to five weeks.

In these circumstances, we dispose of this appeal with the direction that the film shall not be released till such time as the Trial Court pronounces its judgment on the guilt or otherwise of the concerned accused. Once that is done, the appellant may release the film and it is not prevented from doing so because the Trial Court has also to pronounce the sentence in respect of each convicted accused.

The questions of law are left open.

.....J.

.P.SINGH)

(B

.....J.

.....

MAS KABIR)

(ALTA

New Delhi,

September 29, 2006.