

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CRL.) NO(s). 28 OF 2009

FEROZE VARUN GANDHI

Petitioner(s)

VERSUS

DIST.MAGISTRATE PILIBHIT, U.P.& ANR.

Respondent(s)

(With appln(s) for stay, permission to file additional documents and office report)
W.P.(Crl.) No.43/2009
(With office report)
CRLMP. NO.8219/2009
(For directions)

Date: 14/05/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.

Mr. Sidharth Luthra, Sr. Adv.
M/s. Saurabh Kripal, Nandini Gore,
Rajan Karanjawala, Manik Karanjawala,
Sandeep Kapur, Mehul Milind Gupta,
Shivek Trehan, Raunak Dhillon, Advs.
For M/S. Karanjawala & Co., Adv.

For Respondent(s)

Mr. Harish N. Salve. Sr. Adv.
Mr. Jyotindra Mishra, AG, UP
Mr. Shail K. Dwivedi, AAG, UP
Mr. Gunnam Venkateswara Rao, Adv.
Mr. Manoj Kr. Dwivedi, Adv.
Mr. M.P. Yadav, Adv.

UPON hearing counsel the Court made the following
ORDER

The petitioner had been detained under Section 3 of the National Security Act, 1980, alleging that on 8.3.2009 at about 2 p.m. he addressed a meeting wherein he delivered an inflammatory

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speech incited communal hatred, promoted ill-will between classes and communities and disharmony between Hindus and Muslims. The petitioner challenged the detention on various grounds and now we are told that the matter was placed before the Advisory Board under Section 10 of the National Security Act, 1980 and the Advisory Board opined that there was no sufficient cause for detention of the petitioner on the basis of the detention order passed on 29.3.2009 by the District Magistrate, Piliphit, U.P. In view of the opinion

given by the Advisory Board on 8.5.2009, the petitioner's detention order dated 29.3.2009 passed against him is quashed. The State Government may pass appropriate orders forthwith. Since the petitioner has already been released on parole he need not surrender again.

The application for direction as well as writ petitions are disposed of accordingly.

(R.K. Dhawan)
Court Master

(Shashi Bala Vij)
Court Master