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SLP(Crl.)No. 3567 OF 2000

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ITEM NO.63 COURT NO. 8 SECTION II

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) 3567/2000

(From the Judgment and Order dated 8.3.2000 passed in
Crl.Misc.Case No.1666(B)/98 of the Court of Allahabad,
Lucknow Bench, Lucknow)

UNION OF INDIA Petitioner(s)

Versus

ABBU AMMAR Respondent(s)

(With appln. for ex-parte stay and Office Report)
(for final disposal)

Date. 08.05.2001 This/These Petition(s) was/were called on
for hearing today.

CORAM:

HON'BLE MR.JUSTICE M.B. SHAH
HON'BLE MR.JUSTICE Y.K. SABHARWAL

For the Petitioner(s)

Mr.Altaf Ahmed,ASG
Ms.Sunita Sharma,Adv.,
Ms.Sushma Suri,Adv.

For the Respondent(s)

Mr.V.K Shukla,Adv.,
Mr.K.K.Mohan,Adv.

UPON hearing counsel the Court made the following

O R D E R

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.SP2

Leave granted.

The appeal is allowed, impugned order passed by the
High Court is set aside and the Special Judge (NDPS Act)
is directed to dispose of this case within six months
from today. Respondent to surrender before the trial
court.

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(Vijay Kumar Sharma)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file.

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L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R
IN THE SUPREME COURT OF INDIA
CRL. APPELLATE JURISDICTION

CRL. APPEAL NO. 625 OF 2001@@

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(Arising out of SLP (Cr1.)3567/2000)

UNION OF INDIA

Appellant

Versus

ABBU AMMAR

Respondent

O R D E R@@
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Leave granted.

In our view the impugned order passed by the High Court cannot be sustained in view of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'). Hence the appeal is allowed, the impugned order is set aside and the Special Judge (NDPS Act) is directed to dispose of this case within six months from today. The learned ASG appearing on behalf of the Union of India states that the appellant-investigating agency would fully cooperate in disposal of the case as expeditiously as possible by strictly adhering to provisions of Section 309 of the Code of Criminal Procedure. Respondent to surrender before the trial court.

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.....J.
(M.B. Shah)

.....J.
(Y.K. Sabharwal)

New Delhi,
May 08,2001.