

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

Petition(s) for Special Leave to Appeal (Crl) No(s).9506 /2008

(From the judgement and order dated 13/09 / 2 005 in Crl.A No.481/ 2002
of The H I G H C O U R T O F G U J A R A T A T A H M E D A B A D)

N A D I M S A L I M S H A I K H
V E R S U S

Petitioner(s)

S T A T E O F G U J A R A T

Respondent(s)

[With appln(s) for c/delay in filing SL P, exemption from filing O.T.,
bail and office report]

Date: 20/02 / 2 009 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R. J U S T I C E S . B. S I N H A
H O N ' B L E D R. J U S T I C E M U K U N D A K A M S H A R M A

For Petitioner(s) Mr. S.C. Patel, Adv. (SCLSC)

For Respondent(s) Ms. K. Enatoli, Adv. for
Mrs. Hemantika Wahi, Adv.

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

Delay condoned.
Leave granted.
The appeal is allowed to the extent indicated in the signed order.

(Subhash Chander)
A.R.- cum-P.S.

(Pushap Lata Bhardwaj)
Court Master

[Signed order is placed on the file]
I N T H E S U P R E M E C O U R T O F I N D I A

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

C R I M I N A L A P P E A L N O . 3 4 0 O F 2 0 0 9
[Arising out of S.L.P(Crl.)No.9506 of 2008]

Nadim Salim Shaikh

.....Appellant

Versus

State of Gujarat

.....Respondent

O R D E R

Delay condoned.
Leave granted.

Although Narcotic Drugs & Psychotropic Substances (Amendment)

Act, 2001 is said to have no application in the facts of the present case, in view of the fair stand taken by the parties that the appellant has already undergone more than 10 years of rigorous imprisonment, we are of the opinion that the sentence be modified to the period already undergone.

Ordered accordingly.

The appeal is allowed to the aforementioned extent.

Sd/-

.....J.
[S.B. SIN H A]

Sd/-

.....J.
[DR. MU K U N D A K

A M
SH A R M A]
New Delhi.
February 20, 2009.