

ITEM NO.5

COURT NO.14

SECTION II-A

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). 4729-4730/2017

(Arising out of impugned final judgment and order dated 23-02-2017 in WP No. 282/2016 and WP No. 286/2016 passed by the High Court Of Jharkhand At Ranchi)

THE STATE OF JHARKHAND & ORS.

PETITIONER(S)

VERSUS

PRINCE KHAN ETC.

RESPONDENT(S)

Date : 15-12-2021 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Anish Jaipurkar, Adv.
Mr. Kumar Anurag Singh, Adv.
Mr. Anando Mukherjee, AOR
Mr. Zain A. Khan, Adv.
Mr. Shwetank Singh, Adv.

For Respondent(s)
Ms. Sangeeta Singh, AOR

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

In the instant petitions, the order of detention in terms of the provisions of the Bihar Control of Crimes Act, 1981 (as adopted by the State of Jharkhand) has expired long back.

Learned Counsel for the petitioners wants to submit that what has been observed by the High Court in the impugned judgment is not in conformity with the view expressed by this Court reported in *Mrs. T. Devaki vs. Government of Tamil Nadu and Ors.* (1990) 2 SCC

456, and has also brought to our notice the later judgment of the High Court of Jharkhand at Ranchi passed in W.P. (Cr.) No. 282 of 2017 decided on 19.12.2017 where the impugned judgment has been taken note of and not concurred with the view expressed.

In the given facts and circumstances and the fact that the alleged detention has expired long back with a passage of time, we find no reason to entertain the present Special Leave Petitions which are, accordingly, dismissed.

However, the question of law is left open.

Pending application(s), if any, shall stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)