

ITEM NO.29

COURT NO.6

SECTION II-C

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). 004699/2017

(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 14-03-2017
IN CRLRC NO. 1421/2016 PASSED BY THE HIGH COURT OF MADRAS)

INTELLIGENCE OFFICER

Petitioner(s)

VERSUS

SHRI MOHAMAD ALI JINNA & ORS.

Respondent(s)

(FOR ADMISSION)

Date : 05-07-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Maninder Singh, ASG
Mr. R. Balasubramanian, Adv.
Mr. T.C.Sharma, Adv.
Mr. Prabhas Bajaj, Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s)

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

Mr. Maninder Singh, learned ASG has produced before us a copy of the judgment of Madurai Bench of Madras High Court in the case of "Mohamed Ali & Anr. vs. The State" which is decided on 08.06.2017 and reported as 2017-1-L.W.(Crl.) 842. In the said case the same High Court has disagreed with the judgment in the impugned case and held with the observation that the view taken in the impugned judgment goes contrary to the decision in *Harjit Singh vs. State of Punjab*, (2011) 4 SCC 441 and *Mohd. Sahabuddin & Anr.*

vs. State of Assam, (2012) 13 SCC 491.

Issue notice, returnable in four weeks.

In the meantime, the impugned judgment of the High Court is stayed.

(ASHWANI KUMAR)
COURT MASTER (SH)

(MALA KUMARI SHARMA)
COURT MASTER