

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1721 OF 2008
(Arising out of SLP(Crl.) No.2478/2007)

DEVI LAL ... APPELLANT.
VERSUS
STATE OF RAJASTHAN ...RESPONDENTS.

ORDER

Leave granted.

This appeal has been filed against the judgment and order passed by the Single Judge of the High Court of Rajasthan. The appellant herein was convicted on two counts under the provisions of NDPS Act. The Single Judge found him guilty and the appellant filed an appeal before the High Court against the same. The appellant mainly contended that Section 50 of the NDPS Act was not followed by the officer who initially arrested and conducted search on the body of the appellant. Though the appellant has raised series of points before the learned Single Judge, but the same was not considered properly. Without giving any reasons, learned Single Judge disposed of the appeal.

We feel that the appeal was not properly dealt with by the learned Single Judge. Therefore, we set aside the judgment of the learned single Judge and the appeal is directed to be heard afresh and disposed of in accordance with law at an early date.

The appeal is disposed of accordingly.

.....CJI
(K.G. BALAKRISHNAN)

.....J
(AFTAB ALAM)

NEW DELHI;
NOVEMBER 03, 2008.