

HIGH COURT OF MADHYA PRADESH : JABALPUR
FULL BENCH - I (Time 10:30 AM)
Daily Cause List dated : 22-03-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY &
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

Court Room No.: 1

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	IA No. 13100/2019 - DOCUMENT TAKEN ON RECORD in WP 22290/2019	KAMAL KHARE	JUBIN PRASAD, RAGHUVIR PRASAD PRAJAPATI
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL, SAURABH SUNDER[R-1][AG] [R-2][AG], JAI KUMAR PILLAI[R-1][AG][R-2][AG]
		HABEAS CORPUS-13900 - HABEAS CORPUS-13900 - HABEAS CORPUS-13900 PUBLIC SAFETY & ORDER-16300 - National Security Act 1980-16304 - National Security Act 1980-16304 Relief - QUASH THE IMPUGNED ORDER OF DETENTION PASSED AGAINST THE PETITIONER UNDER SECTION 3 OF THE NATIONAL SECURITY ACT 1980 DT.13/08/2019 {FIXED DATE (COURT ORDER) COVID-19} TO DECIDE THE ISSUE AS TO : "WHERE THE OFFENCE IS COMMITTED UNDER REGULATORY ACT SUCH AS FOOD SAFETY AND STANDARDS ACT, 2006 WHICH CONTAINS PENALTY CLAUSE, UNDER NO CIRCUMSTANCES, AN ACTION CAN BE TAKEN AGAINST A PERSON WHOSE ACTIVITIES ARE PREJUDICIAL TO MAINTENANCE OF PUBLIC ORDER UNDER THE NATIONAL SECURITY ACT, 1980" FOR DOCUMENT TAKEN ON RECORD ON IA 13100/2019 FOR ADM. 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION	
1.1	Connected (3) IA No. 2842/2020 - APP. SEEKING INTERIM RELEASE OF THE PETITIONER in WP 00717/2020 WP/22290/2019 (M)	LADURAM	JAGDISH BAHETI, SOUMYA MARU, PUSHYAMITRA BHARGAV, MUKESH SHARMA, HARSHWARDHAN SHARMA, DEVDEEP SINGH, SIDDHANT KOCHAR[P-1], SANKALP KOCHAR[P-1][P-1], PRIYANKA SHROFF[P-1], JAGDISH BAHETI[P-1], VIKAS TIWARI[P-1]
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL, SAURABH SHRIVASTAVA[R-3]
		PUBLIC SAFETY & ORDER-16300 - National Security Act 1980-16304 - National Security Act 1980-16304 {FIXED DATE (COURT ORDER) COVID-19} 1. ADM.AND I.R. 2. [TO DECIDE THE ISSUE AS TO :- "A). WHETHER A DETAINEE, WHO IS DETAINED UNDER THE NATIONAL SECURITY ACT, 1980 HAS GOT A RIGHT TO MAKE A REPRESENTATION TO THE DISTRICT MAGISTRATE WHO ACTS ON BEHALF OF THE STATE GOVERNMENT AS THE STATE GOVERNMENT IS THE APPROPRIATE GOVERNMENT WITHIN THE MEANING OF SECTION 2 (A) OF NATIONAL SECURITY ACT, 1980. B). WHETHER THE ORDER OF DETENTION IS A NULLITY IN ABSENCE OF SUCH A COMMUNICATION INFORMING THE DETAINEE ABOUT HIS RIGHT OF MAKING REPRESENTATION TO THE DISTRICT MAGISTRATE, EVEN THOUGH THE DETAINEE HAS BEEN INFORMED BY THE DISTRICT MAGISTRATE TO MAKE A REPRESENTATION TO THE SATE GOVERNMENT/TO THE UNION OF INDIA/ADVISORY BOARD. C). WHETHER THE DISTRICT MAGISTRATE KEEPING IN VIEW THE SCHEME OF THE ACT I.E. THE NATIONAL SECURITY ACT, 1980 HAS THE POWER TO REVOKE THE ORDER OF DETENTION ONCE PASSED BY HIM IN VIEW OF SECTION 10 AND SECTION 14 OF THE NATIONAL SECURITY ACT, 1980."] AND IA NO.2842/2020-APP. SEEKING INTERIM RELEASE OF THE PETITIONER 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION	
1.2	Linked (3) IA No. 2835/2020 - APP. SEEKING INTERIM RELEASE OF THE PETITIONER in WP 28804/2019 WP/22290/2019 (M)	MANISH	PUSHYAMITRA BHARGAV, JUHI BHARGAV, MUKESH SHARMA, RISHI PANDIT, DEVDEEP SINGH, HARSHWARDHAN SHARMA, AKHILESH KUMAR TIWARI, RAHUL DIWAKER, YASH TIWARI, SHUBHAM RAI
		Versus	

Daily Cause List dated : 22-03-2021

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY &
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA**

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL, SAURABH SHRIVASTAVA[R-1][R-2]
[R-3][R-4][R-5]

PUBLIC SAFETY & ORDER-16300 - National Security Act 1980-16304 - National Security Act 1980-16304

{FIXED DATE (COURT ORDER) COVID-19} **1.ADM.AND I.R. 2.TO DECIDE THE ISSUE AS TO :-**

"A). WHETHER A DETAINEE, WHO IS DETAINED UNDER THE NATIONAL SECURITY ACT, 1980 HAS GOT A RIGHT TO MAKE A REPRESENTATION TO THE DISTRICT MAGISTRATE WHO ACTS ON BEHALF OF THE STATE GOVERNMENT AS THE STATE GOVERNMENT IS THE APPROPRIATE GOVERNMENT WITHIN THE MEANING OF SECTION 2 (A) OF NATIONAL SECURITY ACT, 1980. B). WHETHER THE ORDER OF DETENTION IS A NULLITY IN ABSENCE OF SUCH A COMMUNICATION INFORMING THE DETAINEE ABOUT HIS RIGHT OF MAKING REPRESENTATION TO THE DISTRICT MAGISTRATE, EVEN THOUGH THE DETAINEE HAS BEEN INFORMED BY THE DISTRICT MAGISTRATE TO MAKE A REPRESENTATION TO THE STATE GOVERNMENT/TO THE UNION OF INDIA/ADVISORY BOARD. C). WHETHER THE DISTRICT MAGISTRATE KEEPING IN VIEW THE SCHEME OF THE ACT I.E. THE NATIONAL SECURITY ACT, 1980 HAS THE POWER TO REVOKE THE ORDER OF DETENTION ONCE PASSED BY HIM IN VIEW OF SECTION 10 AND SECTION 14 OF THE NATIONAL SECURITY ACT, 1980." AND IA NO.2835/2020-APP. SEEKING INTERIM RELEASE OF THE PETITIONER

01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

TOTAL CASES : 3 (with connected matters)

PR (J) / R (J-I) / R(J-II)