

(2002) 10 AHC CK 0126

In the Allahabad High Court

Case No : Habeas Corpus Petition No. 8832 of 2002

Iqbal Hussain

APPELLANT

Vs

District Magistrate, Budaun & Ors.

RESPONDENT

Date of Decision : 30-10-2002

Acts Referred:

National Security Act, 1980 — Section 3

Citation : (2002) 10 AHC CK 0126

Hon'ble Judges : M.Katju, J and Rakesh Tiwari, J

Final Decision : Dismissed

Judgement

1. Heard learned Counsel for the parties.
2. The petitioner has challenged the impugned detention order dated 21/11/2001 (Annexure 4 to the writ petition) passed under the National Security Act, 1980. In the grounds of detention it has been alleged that in the night of 4/5/2001 at about 1.45 a.m. in the jungle of village Trilokpur P.S. Ushait, district Badaun the petitioner and his associates were caught red handed by the police party while cutting electric wire. One sawnoff gun of .12 bore with 4 empty cartridges were recovered from the possession of the petitioner. The saw, which was used for cutting the electric wire and 15 kg. electric wire of aluminum were also recovered from the possession of the petitioner.
3. In our opinion, cutting of electric wire affects public order and not merely law and order. If electric supply is disrupted crops will not grow, industries will not function, and there may be various other problems and the economy will be adversely affected. Hence, public order is affected.
4. With the aforesaid observations, this writ petition is dismissed.