
(2002) 09 AHC CK 0011

In the Allahabad High Court

Case No : Habeas Corpus Petition No. 20230 of 2002

Jwala Singh Kanchhi

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 30-09-2002

Acts Referred:

National Security Act, 1980 — Section 3

Citation : (2003) CriLJ 681 : (2003) 1 RCR(Criminal) 293

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

Bench : Division Bench

Advocate : J.P. Singh, for the Appellant; R.K. Shukla, A.G.A., for the Respondent

Final Decision : Dismissed

Judgement

M. Katju, J.—This writ petition has been filed against the detention order dated 18-1-2002. Annexure 4 to the petition under N.S.A.

We have perused the grounds of detention copy of which is Annexure 5, which shows that the allegation against the petitioner is that he was involved in cutting electricity wires on several occasions. It seems that the petitioner has a gang for this activity and has spread terror in the locality. Because of this farmers cannot look after their crops in the night and due to lack of electricity the crops are drying up and people are feeling unsafe.

2. We are of the opinion that this is a case affecting public order and not merely law and order. Because of electricity thefts on a large scale in our country the Power Corporations are running at huge losses and the economy of the country has been adversely affected. In our opinion there has been no delay in deciding the petitioner's representation as mentioned in para 14 of the counter affidavit. The petitioner had been trying to obtain bail before the Sessions Judge, Hathras and hence preventive action was necessary.

3. We see no infirmity in the impugned detention order. The petition is dismissed.