

Abdul Aziz Alias Ajjo

Vs

Delhi Administration and Others

Writ Petition (Criminal) No. 1511 of 1981

(O. Chinnappa Reddy, Baharul Islam, A. N. Sen JJ)

07.04.1981

JUDGMENT

CHINNAPPA REDDY, J. –

1. The admitted position is that a copy of the statement of Mohd. Yamin on which the grounds of detention are based has not been supplied to the detenu. The detenu, as may be mentioned here, is detained under the National Security Act and a point was sought to be made on behalf of the respondents that in cases of detention under the National Security Act it is not necessary to supply copies of documents on which orders of detention are based unless in cases of detention under the 'COFEPOSA'. This question has already been considered by this Court in *Khatun Begum v. Union of India* ((1981) 2 SCC 480 : 1981 SCC (Cri) 493). In view of the decision of this Court we are unable to agree with the submission of the learned counsel for the respondents. We have, therefore, no alternative except to direct the release of the detenu forthwith. It is so ordered.

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