

SUPREME COURT OF INDIA

Ravindra B. Dixit

Vs.

State of M.P.

(G.B.Pattanaik and U.C.Banerjee JJ.)

18.11.1999

ORDER

The Text below is only a summarized version of the order pronounced

Leave granted. The High Court cannot conclude that the arrest or seizure in question was either vexatious or unnecessary based on the mere fact that there has been an infraction of Sections 42 and 50 of the NDPS Act, 1985. Allowing the appeal, the direction of the High Court to proceed against the appellant-applicant under Section 58 of the Narcotic Drug and Psychotropic Substances Act, 1985, is set aside because the impugned direction of the High Court is without jurisdiction as the condition precedent for application of Section 58 was lacking.