

SUPREME COURT OF INDIA

Chhunna alias Mehtab and Muhammad Sharif

Vs.

State of M.P.

CrI.A.Nos.727 and 1003 of 2001

(B. N. Kirpal CJI., K. G. Balakrishnan and Dr. Arijit Pasayat JJ.)

07.08.2002

ORDER

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

Police apprehended accused who was making opium and mixing it with chocolate in a room. Before effecting entry police failed to comply with mandatory provisions on ground that if opportunity for search warrant or authorization accorded then accused would escaped. Supreme Court held that trial of appellant vitiated due to non-compliance of mandatory provisions.