

[2022 LiveLaw \(SC\) 290](#)

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

UDAY UMESH LALIT; J, S. RAVINDRA BHAT; J, BELA M. TRIVEDI; J.

March 15, 2022.

REVIEW PETITION (CRIMINAL) NO. OF 2022 (Arising out of Diary No. 1930 of 2022) IN CRIMINAL APPEAL NO. 963 OF 2021

STATE OF MADHYA PRADESH *Versus* SADIQUE AND ORS.

Unlawful Activities (Prevention) Act, 1967; Section 43D(2)(b) - Magistrate would not be competent to consider the request for extension of time to complete investigation - The only competent authority to consider such request would be "the Court" as specified in the proviso in Section 43-D (2)(b) of the UAPA - Review petition filed by the State dismissed.

(Arising out of impugned final judgment and order dated 07-09-2021 in Crl.A. No.963/2021 passed by the Supreme Court of India)

ORDER

Delay in preferring Review Petition is condoned.

Application for listing Review Petition in open Court is rejected.

Relying upon the decision in ***Bikramjit Singh vs. State of Punjab, (2020) 10 SCC 616*** it was observed by this Court:-

“Consequently, insofar as “Extension of time to complete investigation” is concerned, the Magistrate would not be competent to consider the request and the only competent authority to consider such request would be “the Court” as specified in the proviso in Section 43-D(b) of the UAPA.

In view of the law laid down by this Court, we accept the plea raised by the appellants and hold them entitled to the relief of default bail as prayed for.”

The grounds taken in the Review Petition do not make out any error apparent on record to justify interference.

This Review Petition is, therefore, dismissed.