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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CRL.L.P. 219/2011

CUSTOMS THROUGH: ROSHAN LAL A.C.C. ..... Petitioner
Through: Mr.G.S.Kanojia, Advocate

versus

AIBINI ANSAR ISMAIL ..... Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE V.K. SHALI

O R D E R

% **22.11.2011**

1. This is a leave to appeal filed by the petitioner against the judgment dated 11.10.2010 acquitting the accused for an offence u/s 132/135 (1)(a) of the Customs Act.

2. The learned counsel for the petitioner has not been able to make out any ground for grant of leave to appeal against the impugned order.

3. I have gone through the impugned order, it is reasoned and speaking order justifying the acquittal of the respondent. The reason for acquittal handed down by the Court is that the appellants have not been able to prove the sanction for prosecution of the respondent. The learned counsel had sought adjournment to show the case law that even the statement of the witness who has not been made available for

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cross examination to a party can be relied upon, obviously, he could not produce any, as there would be none. No ground for grant of leave to appeal is made out, accordingly the petition is dismissed.

V.K. SHALI, J

NOVEMBER 22, 2011/mr