IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (ALP) NO.13 OF 2015

Asst. Commissioner of Customs (AIU) ..Applicant/Appellant
V/s.
Jayendra C. Thakker @
Jitendra Thakker & Anr. .. Respondents

Mr.Rajnath Pathak, for applicant/appellant.
Mrs.Anamika Malhotra, APP for Respondent-State.

CORAM : A. R. JOSHI, J.

DATE : 28TH AUGUST 2015

P.C.

1. Learned counsel for the applicant, Commissioner of Customs prayed for withdrawal of the present application in view of the observations of this Court in earlier order dated 05th August 2015. He further prayed that the liberty may be given to file appropriate proceeding for enhancement of punishment awarded against the respondent and with this permission the present proceeding may be allowed to be withdrawn. Considering the request, the present proceeding is allowed to be withdrawn with liberty as prayed. The appropriate Court before which such proceeding for enhancement of punishment will be filed, would consider the aspect of limitation mainly

considering that the present applicant had initially approached the High Court under the erroneous believe. Present application is accordingly disposed of as withdrawn, with liberty as prayed.

(A. R. JOSHI, J)