

*THE HON'BLE SRI JUSTICE P.NAVEEN RAO
AND
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL*

WRIT PETITION No.17075 of 2017

ORDER: (per PNR,J)

Petitioner challenges the summons dated 24.04.2017 issued under Section 108 of the Customs Act, 1962 (for short, 'the Act'), by the second respondent – Superintendent of Customs (RI&I), Custom House, Port Area, Visakhapatnam, directing the petitioner to appear before him on 25.05.2017.

This writ petition is filed apprehending that the petitioner will be harassed and humiliated, if he appears before the 2nd respondent as directed in the impugned summons.

Learned counsel for the petitioner submits that on the earlier occasion, the petitioner was illegally detained, manhandled and tortured mercilessly for no justifiable reason or cause and therefore, on the next date of appearance also, he would anticipate the same problems to him.

In response to the contention of the learned counsel for the petitioner, Sri B.Narasimha Sarma, learned counsel representing the respondents, submits that the summons are issued in due compliance of the provisions of Section 108 of the Act and recording of statement and perusal of documents are only in consequent to the provisions contained in Section 108 of the Act in the process of investigation being taken up and it is only an apprehension of the petitioner on harassment and the authorities will not resort to any kind of harassment as apprehended by the petitioner and recording of statement and perusal of documents will be done strictly in accordance with the provisions of Section 108 of the Act.

Having regard to the submission of Sri B.Narasimha Sarma, learned counsel, no further orders are required to be passed by this Court at this stage. If the petitioner has any other grievance, he has to independently work out his remedies as available in law.

The writ petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE P.NAVEEN RAO

JUSTICE M.S.K.JAI SWAL

Date:18.05.2017

Note:-

Issue CC by 22.05.2017.

(B/o)

GJ/IBL

