

\$~11

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

+ **W.P.(CRL) 270/2018**

MOHIT JAIN

..... Petitioner

Through Ms. Anjali J. Manish, Mr. Priyadarshi
Manish & Ms. Nidhi Saini, Advocates

versus

UNION OF INDIA & ORS

..... Respondents

Through Ms. Maninder Acharya, ASG with
Mr. Amit Bansal, Sr. Standing counsel, Mr. Sahil
Sood, Mr. Harshul Choudhary, Mr. Viplav
Acharya & Mr. Akhil Kulshrestha, Advocates

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VINOD GOEL

ORDER

% **26.07.2018**

1. At the outset, Ms. Maninder Acharya, learned Additional Solicitor General of India, appearing for the Respondents makes a statement on instructions that the Customs do not propose to summon the Petitioner hereafter, in so far as the subject matter of the present petition is concerned since the inquiry that it required to undertake, concerning the subject matter of the petition, stands concluded.

2. In view of the above statement, Ms. Anjali J Manish, learned counsel for the Petitioner seeks leave to withdraw the Petition. She further prays that the question of law concerning the *vires* of Section 108 of the Customs Act, 1962 be left open for consideration in an appropriate case.

W.P.(CRL) 270/2018

Page 1 of 2

3. The petition is dismissed as withdrawn with liberty as prayed for. The question of law concerning the *vires* of Section 108 of the Customs Act, 1962 is left open for consideration in an appropriate case.

S.MURALIDHAR, J.

VINOD GOEL, J.

JULY 26, 2018

mw