

(2016) 08 DEL CK 0092

DELHI HIGH COURT

Case No: Writ Petition (CRL) No. 2459 of 2016 and Crl. M.A. No. 13005 of 2016

Abhishek Agrawalla

APPELLANT

Vs

Commissioner of Customs

RESPONDENT

Date of Decision: Aug. 23, 2016**Citation:** (2016) 341 ELT 43**Hon'ble Judges:** Vipin Sanghi, J.**Bench:** Single Bench**Advocate:** S/Shri Pramod Kumar Rai, Senior Standing Counsel and Deepak Anand, Junior Standing Counsel, for the Respondent; Ms. Anjali J. Manish and Shri Priyadarshi Manish, Advocates, for the Petitioner**Final Decision:** Disposed Off

Judgement

@JUDGMENTTAG-ORDER

Vipin Sanghi, J. - Issue notice. Learned counsel for the respondents accepts notice. Counter-affidavit be filed within four weeks. Rejoinder, if any, be filed before the next date.

2. List on 1-12-2016.

3. In the meantime, it is directed that the petitioner while complying with any further summons issued under Section 108 of the Customs Act, 1962 shall be entitled to be accompanied by his counsel, who shall remain present during the course of questioning of the petitioner. The respondents shall conclude the questioning in response to the summons that may be issued under Section 108 of the Customs Act promptly and without any undue delay. The statement shall be recorded during office hours, i.e. between 10:00 a.m. and 5:00 p.m. with the usual breaks in between. For recording the statement, the respondent may issue fresh summons under Section 108 of the Customs Act against the petitioner as and when required.

4. It is made clear that the statement of the petitioner that may be recorded in response to the summons issued under Section 108 of the Customs Act shall be without prejudice to the rights and contentions of the parties and shall abide by further orders passed in this petition.