
(2012) 01 DEL CK 0435

In the Delhi High Court

Case No : Criminal M.C No. 2574 of 2010

Department of Customs

APPELLANT

Vs

Manish Jalhotra

RESPONDENT

Date of Decision : 12-01-2012

Acts Referred:

Customs Act, 1962 — Section 135

Citation : (2012) 2 JCC 846

Hon'ble Judges : Mukta Gupta, J

Bench : Single Bench

Advocate : Satish Aggarwal, for the Appellant; Akshay Anand and Mr. Deepak Kumar, for the Respondent

Final Decision : Dismissed

Judgement

Hon"ble Ms. Justice Mukta Gupta

1. By this petition, the Petitioner has challenged the order dated 3rd July, 2010 passed by the learned Additional Chief Metropolitan Magistrate granting bail to the Respondent, Learned counsel for the Petitioner contends that the allegations against the Respondent are serious in nature and in view of the serious offence committed, no bail could be granted to the Respondent.
2. During the pendency of the present petition, in Om Prakash and Another Vs. Union of India (UOI) and Another, Scale 310 the Hon"ble Supreme Court has held that offence u/s 135 of the Customs Act is a bailable offence.
3. In view of the decision of the Hon"ble supreme Court, nothing survives in this petition seeking setting aside of the impugned order and cancellation of bail of the Respondent. The petition is dismissed accordingly.