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

+ CRL.M.C. 1358/2023

DGGI, DZU

..... Petitioner

Through: Mr.Harpreet Singh, Sr. Standing Counsel

versus

RAJIV CHAWLA

..... Respondent

Through: Mr.Sunil Dalal, Sr. Advocate with
Mr.Himanshu Tyagi and Mr. Mohit Yadav,
Advocates

+ CRL.M.C. 1457/2023

DIRECTORATE GENERAL OF GST INTELLIGENCE DELHI
ZONAL UNIT (DGGI, DZU)

..... Petitioner

Through: Mr.Harpreet Singh, Sr. Standing Counsel

versus

SHIPRA CHAWLA

..... Respondent

Through: Mr.Sunil Dalal, Sr. Advocate with
Mr.Himanshu Tyagi and Mr. Mohit Yadav,
Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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15.01.2024

1. By way of present petitions filed under Section 439(2) Cr.PC, the petitioners have assailed the order dated 17.02.2023 vide which bail was granted to the respondents.
2. The primary grievance raised by the petitioners is with respect to the observations of the court while granting bail that the enquiry having been initiated by U.P. State GST, no action could have been taken by DGGI, DZU which is based in Delhi having all India jurisdiction. He submits that



even the Gurugram Zonal Unit, DGGI has initiated investigation. It is stated that all the aforesaid were distinct and separate and not overlapping. He thus submits that the said observations are incorrect.

3. Learned Senior Counsel for the respondent, on the other hand, submits that the accused have deposited a sum of Rs.1 crore with U.P. State GST and Rs.50 lacs with Gurugram Zonal Unit, DGGI. He submits that post grant of bail, neither any complaint has been filed nor any show cause notice has been issued in the adjudication proceedings.

4. Considering the aforesaid, the present petitions are disposed of clarifying that the observations contained in paragraph 14 of the impugned orders are only prima facie and will not come in the way of the Department providing their case in the trial in case of filing of any complaint.

MANOJ KUMAR OHRI, J

JANUARY 15, 2024

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