

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.938 OF 2024

Mahesh Devchand Gala

.....Petitioner

Vs.

Union of India & Ors.

.....Respondents

Mr. Pushkraj Deshpande, i/b. ALMT Legal, for Petitioner.

Mr. Jitendra B. Mishra, with Mr. Rupesh Dubey, for Respondents
No.1 to 3.

Mr. K. V. Saste, Addl. P.P., for the Respondent No.4-State.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 1st APRIL 2025.

P.C.:-

1. Although, the aforesaid Petition was disposed off vide order dated 24th September 2024, the matter was kept today for recording compliance of paragraph 6 of the said order, which directs the Central Government to take appropriate steps to ensure that persons are not detained overnight for the purpose of interrogation.

2. Mr. Mishra, learned Senior Standing Counsel appearing for the Respondents Nos.1 to 3, has tendered a letter dated 27th March 2025 addressed by the Joint Commissioner (In-situ), CGST, Mumbai West. Photo-copy of the said letter is taken on record. It

appears that the Principal Chief Commissioner of GST and Central Excise, Mumbai Zone in its Review Meeting dated 25th September 2024 has issued certain directions to all field formations. The said directions are as under;

“a) Directions given by the Hon'ble Supreme Court as per order dated 21.02.2023 passed in the matter of Paramvir Singh Saini Vs. Baljit Singh & Ors in SLP (Criminal) No. 3543 2020 regarding installation of CCTVs and recording of statements during investigation of cases, are to be followed;

b) All Commissioners to follow CBIC Instructions issued vide No.01/2023-24-GST (Inv) dated 30/03/2024 regarding investigation and keep check on Search Warrants and Summons being issued;

c) Commissionerates to ensure that persons are not detained in office, beyond office hours except strictly as per laws, rules and regulations. Commissioners shall monitor and ensure that all matters are handled as per law.”

3. Direction (c) which is issued pursuant to the order passed by this Court.

4. The office of the GST to take prompt steps to put up the aforesaid directions on their official website as well as ‘X’ handle at the earliest and in any event within one week from today, to make citizens aware of the same.

4. Since the order dated 24th September 2024 has been complied with, no further orders.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)

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