IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.14132 of 2026
Date of decision: 09.04.2026

ASHISH KUMAR SRIVASTAVA

…Petitioner

Versus

STATE OF U.T. CHANDIGARH

…Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Vinod Ghai, Senior Advocate with
Ms. Kashish Sahni, Advocate and
Mr. Arnav Ghai, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, APP, UT, Chandigarh.

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MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of the BNSS, 2023 (erstwhile Section 439 Cr.P.C.) for grant of regular bail to the petitioner in case bearing FIR No.14 dated 07.06.2025, registered under Sections 420, 467, 468, 471, 120-B and 406 of the IPC (Section 406 IPC added later-on) [Sections 338, 336(3), 340(2), 61(2) and 316(2) of the BNS], at Police Station Economic Offence Wing, Chandigarh (U.T.).

2. The present FIR was registered on the complaint of Navjot Singh Sahota, authorized representative of M/s Harvesting India Private Limited, a company engaged in agri-tech and agricultural commodities trading. The allegations are that the petitioner, Ashish Kumar Srivastava, who was working as National Head (Agricultural Trade) of the complainant

company, along with co-accused Mandeep Singh, Assistant General Manager (Commercial), fabricated invoices and GRNs, manipulated company records, and misappropriated funds of the complainant company in connivance with vendors and customers. It is further alleged that upon scrutiny of the company records, several invoices and GRNs were found to bear the same dates, and the vehicle numbers mentioned therein were either of two-wheelers such as TVS scooters/motorbikes or milk tankers, which were inconsistent with the quantity of goods allegedly supplied. Upon further investigation of the financial transactions, including bank statements of the complainant company, it was revealed that an amount of Rs.11,73,01,041/- was transferred from the account of the complainant company to the accounts of various vendors without any actual supply of goods to the end customers. The said amount is alleged to have been misappropriated with the connivance of the vendors and customers of the complainant company.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated and had no role in the alleged transactions, as his duties were limited to a procedural approval after verification of GRNs, which merely confirmed receipt of goods by the customers, and the actual authority to release payments vested solely with the Director, Ruchit Garg. It is submitted that the complainant company was operating on a "Bill to-Ship to" model, acting only as an intermediary platform without any involvement in warehousing, logistics, or transportation, and payments to vendors were made only after receipt of GRNs, thereby ruling out the possibility of payment without actual supply. It is further contended that the

petitioner neither prepared invoices nor GRNs, nor had any direct interaction with vendors or customers, and that invoices were generated based on vendor inputs while GRNs were issued by customers themselves. The allegations regarding vehicle numbers are also stated to be misconceived, as the same pertain to the vendors' transportation and not to the petitioner. It is also argued that there is an unexplained delay of more than seven months in registration of the FIR, despite the complainant having knowledge of the alleged transactions in September–October 2024, which casts serious doubt on the prosecution case. Additionally, it is contended that the petitioner was subjected to wrongful termination without notice in January 2025 and had raised a legal claim for his dues, indicating *mala-fide* intent behind his implication. It is further submitted that the investigation stands completed and report under Section 173 Cr.P.C. has been filed, wherein although 6 vendors and 14 customers have been identified and an alleged amount of Rs.11,73,01,041/- has been mentioned, no concrete evidence has been brought on record to show that goods were not supplied or to directly connect the petitioner with any misappropriation, thereby making his continued custody unwarranted.

4. On the other hand, learned APP, U.T. Chandigarh, Ms. Simsi Dhir, has argued that the petitioner was holding a key and decisive position as National Head (Agricultural Trade) and was instrumental in orchestrating a well-planned and organized financial fraud. It is contended that the petitioner had personally onboarded various vendors and customers and, in connivance with co-accused persons, facilitated preparation of forged invoices and fabricated GRNs, which formed the basis for release of

payments. The approval emails sent by the petitioner were not merely procedural but constituted the final authorization for disbursement of funds, and without such approval, no payments were released. It is further submitted that investigation has revealed that GRNs were fabricated with fictitious and impossible vehicle numbers, invoices were manipulated, and payments were made without any actual supply of goods, resulting in wrongful loss of approximately Rs.11,73,01,041/- to the complainant company. The petitioner was fully aware of these irregularities and yet continued to approve such transactions, thereby acting as a conscious conspirator. It is also contended that the petitioner maintained control over the vendor/customer accounts by circumventing KYC norms and had close nexus with co-accused persons, including Mandeep Singh, who is still absconding. The recovery of company vehicle from his possession and his own disclosure statement further substantiate his involvement. In such circumstances, it is prayed that the petitioner is not entitled to the concession of bail.

5. Having heard learned counsel for the parties and perused the record, this Court finds that the allegations against the petitioner pertain to a serious and large-scale economic offence involving deep-rooted conspiracy, fabrication of financial documents, and systematic siphoning of funds of the complainant company. The material on record prima facie indicates that the petitioner was not a mere employee performing a routine or clerical function, but was occupying a position of authority and was actively involved in onboarding entities, processing transactions, and granting approvals which ultimately resulted in release of substantial funds.

6. The contention that his role was merely procedural does not inspire confidence at this stage, particularly in view of the allegations that his approval was a sine qua non for release of payments and that such approvals were granted despite glaring discrepancies in invoices and GRNs. The magnitude of the fraud, involving an amount of more than Rs.11.73 crores, the manner in which fabricated documents were allegedly used to create a false trail of transactions, and the involvement of multiple vendors and customers point towards a well-organized and premeditated scheme. Furthermore, the co-accused is still absconding and the investigation, particularly with regard to the money trail and digital evidence, is ongoing, raising a reasonable apprehension that the petitioner, if released on bail, may influence witnesses or tamper with evidence.

7. Considering the nature and gravity of the accusations, the role attributed to the petitioner, and the stage of the investigation, this Court does not find any ground to grant the concession of regular bail.

8. Accordingly, the present petition is dismissed.

9. All pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

09.04.2026
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No