



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

117

CRM-M-69377-2025 (O&M)
Date of decision: 09.04.2026

Divay Mohindru

....Petitioner

Versus

Directorate General of Gst, Intelligence, Amritsar and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate for the petitioner

Mr. Sourabh Goel, Spl. Public Prosecutor with
Ms. Anju Bansal and Ms. Geetika Sharma, Advocates
for respondent Nos.1 to 6

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case Complaint No.COMI/374/2025 dated 06.10.2025 titled as Directorate of GST Intelligence through its Senior Intelligence Officer Sh. Ranjit Singh Chehal vs. Divay Mohindru under Section 132(1)(c) of Central GST Act 2017 read with corresponding provisions of Punjab GST Act, 2017 and relevant sections of IGST Act, 2017 punishable under Section 132(1)(i) of CGST Act, 2017.
2. Learned counsel contends that the petitioner has been in custody for more than 8 months. He alleges false implication. The deficient amount of



GST was already deposited by him in the year 2023 and 2024. Subsequent thereto, notices were again sent on 03.07.2025 as they were verifying the facts as to whether some more amount is due, however, in the interregnum, he was arrested. In this regard, he relies on the judgment of Hon'ble the Supreme Court in **Vineet Jain vs. Union of India**, SLP (Criminal) No.4349 of 2025, decided on 28.04.2025. In all there are 10 witnesses. He is not involved in any other case.

3. Learned counsel for the respondents opposes the bail on the ground that the petitioner had claimed ITC to the tune of Rs.112 crores by indulging in fraudulent billing on the basis of fake invoices. However, he is unable to controvert the submissions with regard to stage and the petitioner being not involved in any other case.

4. Heard.

5. Considering the fact that the offence is triable by Magistrate with a maximum sentence of 5 years and the petitioner, who is not involved in any other case, has been in custody for the last 8 months and 1 day; cognizance has already been taken by the Court, though the prosecution is primarily based on documentary evidence and there are a total of 10 witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his rights as enshrined under Article 21 of the Constitution of India, including the one to speedy trial, the present petition is allowed.

6. The petitioner is ordered to be released on regular bail, subject to

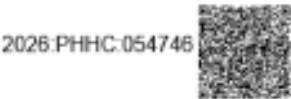


furnishing bail/surety bonds along with two heavy sureties to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall surrender his passport, if not done already and shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made



herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

09.04.2026

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No