

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 11477/2022

Suresh Jajra Son Of Late Shri Bal Krishan Jajra, Aged About 58  
Years, Resident Of B-3, Shakti Nagar, Gali No. 1, Pawta C,  
Jodhpur ( At Present Lodged In Central Jail Jaipur)

----Petitioner

Versus

Union Of India, Through Special Public Prosecutor. At Senior  
Intelligence Officer At Directorate General Of Goods And Service  
Tax Intelligence ( Dggi) Jaipur Zonal Unit, Jaipur.

----Respondent

For Petitioner(s)

: Mr. Mukesh Kumar, Mr. Sudhir  
Sangal, Ravikant Chandok

For Respondent(s)

: Ms. Mahi Yadav, Mr. Yatharth Gupta

**HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA****Order****04/08/2022**

1. The present bail application has been filed under Section 439 Cr.P.C. arising out of Case No.DGGI/INV/GST/3064/2021-Gr-B-O/O ADG-DGGI-JZU-Jaipur for the offence punishable under Sections 132(1) of the Central Goods & Service Tax Act, 2017, regarding which bail application No.187(2022) (CIS No.2383/2022) has been rejected by Additional Sessions Judge No.9, Jaipur Metropolitan-II, Jaipur vide order dated 19.07.2022.

2. Learned counsel for the petitioner submits that the petitioner has been wrongly implicated in this case. Petitioner is behind the bar since long. Learned counsel for the petitioner also submits that petitioner is neither owner of Ayodhya Food Products or nor partner of the firm. Learned counsel for the petitioner also submits



that petitioner and other co-accused had retracted the statement given by him under Section 70 of GST Act. Learned counsel for the petitioner also submits that statement given by co-accused and other persons cannot be read against him. Learned counsel for the petitioner also submits that maximum punishment in this case is five years and conclusion of trial may take long time. Learned counsel for the petitioner also submits that similarly situated co-accused Naresh Chandra Jajra and Abhishek Gehlot were enlarged on bail by this Court and by Co-ordinate Bench of this Court. So, petitioner be enlarged on bail.

3. Learned counsel for the petitioner relied upon the judgments in the case of ***Kishore Wadhvani Vs. State of MP; 2020(43)GSTL 145 (M.P.), Dananjay Singh Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.18825/2021 dated 05.02.2022), Naresh Chandra Jajra Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.1914/2022 dated 25.02.2022), Abhishek Gehlot Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.4086/2022 dated 13.04.2022), Khet Singh & Anr. Vs. State (S.B. Criminal Miscellaneous Bail Application No.861/2021 dated 25.01.2021), CIT Vs. Dhingra Metal (Del.)(2010)328 ITR 384(Del), Vikas Bansal Vs. UOI (Bail Application No.2381 of 2021 dated 23.09.2021).***

4. Learned counsel for the respondent (UOI) has opposed the arguments advanced by learned counsel for the petitioner and submits that petitioner had evaded GST of around Rs.54 Crores. He is main culprit of the case. Learned counsel for the respondent also submits that co-accused and other witnesses during the



statement under Section 70 of GST Act clearly stated that petitioner is responsible person. Learned counsel for the respondent also submits that Hon'ble Apex Court in various pronouncement clearly stated that the matter pertains to economic offence, should not be dealt as a general case. Learned counsel for the respondent also submits that investigation is still pending. Chargesheet has not been filed against the petitioner.

So, looking to the gravity of the offence, bail be dismissed.

5. Learned counsel for the respondent has relied upon the following judgments: **PV Ramana Reddy Vs. UOI, Vinaykant**

**Ameta Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.18243/2021), Sohan Singh Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.2555/2022), Abhishek Singhal Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.6304/2021), Mahender Mangal Vs. UOI (S.B. Criminal Miscellaneous Application No.13041/2021), Ramchandra Vishnoi Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.13104/2021), Bharat Raj Kunj Vs. CGST Commissionerate (S.B. Criminal Miscellaneous Bail Application No.16341/2019), Mohd. Yunus Vs. State of Rajasthan (S.B. Criminal Miscellaneous Bail Application No.15702/2019), Sumit Dutta Vs. UOI (S.B. Criminal Miscellaneous Bail Application No.3103/2022), Citation-2022(58) GSTL 15-Hon'ble Punjab & Haryana High Court, Citation-2022(58) GSTL 20-Hon'ble High Court, Citation-2020(40) GSTL 451-Hon'ble Orissa High Court, Paritosh Kumar Singh & Ors. Vs. State of Chhattisgarh & Ors. (Writ Appeal No.348/2021), Paresh Nathaal Chauhan Vs. State of**



**Gujarat (Criminal Miscellaneous Application  
No.6237/2020).**

6. Considering the contentions put-forth by the counsel for the petitioner and taking into account the facts and circumstances of the case and without expressing any opinion on the merits of the case, this court deems it just and proper to enlarge the petitioner on bail.

7. Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner **Suresh Jajra Son Of Late Shri Bal Krishan Jajra** shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

**(NARENDRA SINGH DHADDHA),J**

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