

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT PETITION NO: 10826 OF 2025

Between:

Mohitt Jain, S/o. Sunil Jain, aged about 34 years, Occ Business, R/o. 9-7-54,
Plot No.61 to 63, Prem Nivas Sai Sagar Enclave, Near Mansarovar
Heights/Villas, Secunderabad - 500009

...PETITIONER

AND

1. Commissioner of GST, Secunderabad CGST Commissionerate, Room No. 800, 7th Floor, GST Bhavan, Hyderabad
2. Superintendent of Central Tax, Anti-Evasion Section Secunderabad CGST Commissionerate, Room No.618, 5th Floor, GST Bhavan, Hyderabad

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, direction or order more particularly one in the nature of Writ of Mandamus,

A. declaring the high-handed, illegal, and arbitrary actions of the Respondents in effecting the arrest of Mr. Rupender Jain, the uncle of the Petitioner, purportedly in connection with C.No.GEXCOM/AE/INV/GST/884/2025-AE, as not in accordance with law, and are in violation of the provisions of the Central Goods and Services Tax Act, 2017, and the judgment of Hon'ble Supreme Court in Radhika Agarwal v. Union of India, and consequently, set aside the arrest as being illegal and unsustainable in law

B. declaring the continued detention and illegal custody of Mr. Rupender Jain by the Respondent authorities, despite the rejection of the remand application by the Hon'ble Special Judge for Economic Offences, Hyderabad, as wholly

unsustainable, arbitrary, unconstitutional, and violative of the fundamental rights guaranteed under Articles 14, 21 and 22 of the Constitution of India, 1950

C. direct the Respondents, consequently, as a matter of principle, to pay symbolic compensation of 1/- (Rupee One only) to Mr. Rupender Jain for the illegal arrest and continued detention in violation of law and constitutional protections.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the Respondents to not take any coercive steps in connection with C.No.GEXCOM/AE/INV/GST/ 884/2025- AE, pending disposal of the present Writ Petition.

Counsel for the Petitioner: SRI G.ASHOK REDDY

**Counsel for the Respondents: SRI DOMINIC FERNANDES, SENIOR STANDING
COUNSEL FOR CBIC**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No.10826 of 2025

Dated: 02.04.2026

Between:

Mohitt Jain

...Petitioner

and

Commissioner of GST,
Secunderabad CGST Commissionerate,
Room No.800, 7th Floor,
GST Bhavan, Hyderabad,
and another.

...Respondents

ORDER:

Learned counsel Sri G.Ashok Reddy appears for the petitioner.

Sri Dominic Fernandes, learned Senior Standing Counsel for
Central Board of Indirect Taxes and Customs, appears for the
respondents.

2. The writ petition has been preferred seeking the following relief:

“For the reasons aforementioned, it is therefore, prayed that
this Hon’ble Court may be pleased to issue a writ, direction or
order more particularly one in the nature of Writ of Mandamus,

A. declaring the high-handed, illegal, and arbitrary actions of
the Respondents in effecting the arrest of Mr. Rupender Jain,
the uncle of the Petitioner, purportedly in connection with
C.No.GEXCOM/AE/INV/GST/884/2025-AE, as not in
accordance with law, and are in violation of the provisions

of the Central Goods and Services Tax Act, 2017, and the judgement of Hon'ble Supreme Court in *Radhika Agarwal v. Union of India*, and consequently, set aside the arrest as being illegal and unsustainable in law;

- B. declaring the continued detention and illegal custody of Mr. Rupender Jain by the Respondent authorities, despite the rejection of the remand application by the Hon'ble Special Judge for Economic Offences, Hyderabad, as wholly unsustainable, arbitrary, unconstitutional, and violative of the fundamental rights guaranteed under Articles 14, 21 and 22 of the Constitution of India, 1950;
- C. direct the Respondents, consequently, as a matter of principle, to pay symbolic compensation of 1/- (Rupee One only) to Mr. Rupender Jain for the illegal arrest and continued detention in violation of law and constitutional protections;
- D. pass such other and further orders as this Hon'ble Court may deem fit and proper in the interest of justice and to secure the ends of equity, liberty, and fair procedure."

3. Learned counsel for the petitioner seeks permission to withdraw the writ petition.

4. The writ petition is accordingly dismissed as withdrawn. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

- 1. One CC to SRI G.ASHOK REDDY, Advocate [OPUC]
- 2. One CC to SRI DOMINIC FERNANDES, SENIOR STANDING COUNSEL FOR CBIC [OPUC]
- 3. Two CD Copies

PSK.

TKS

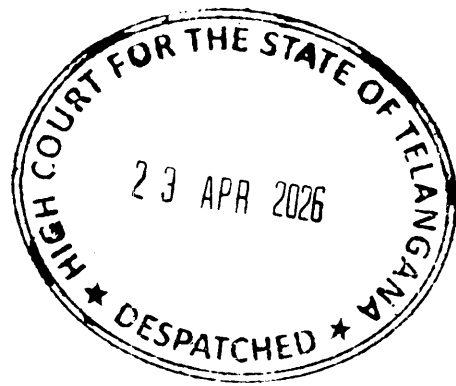
AK

HIGH COURT

DATED:02/04/2026

ORDER

WP.No.10826 of 2025



**DISMISSING THE WRIT PETITION
AS WITHDRAWN WITHOUT COSTS**

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16/4/26