

MHRG170003982026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE PANVEL-**  
**RAIGAD, AT : PANVEL**  
**ORDER BELOW EXHIBIT NO. 1**  
**IN CRIMINAL BAIL APPLICATION NO.193/2026**  
**(DATED 17/03/2026)**

The applicant Rajkumar Gopinanth Nair has filed present application for regular bail under section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in F. No.SG/MISC-167/2025-26/CIU/JNCH.

2. Facts giving rise to the filing of present application are that, based on specific intelligence that the Walnuts exported from Jebel Ali and other ports of UAE were mis-declared with country of origin being declared as Afghanistan to obtain SAFTA benefit notification having 0% basic custom duty. It is alleged that prima facie evidence of willful mis-declaration in country of origin to avail wrongful SAFTA benefits was gathered and searches were conducted on four locations in Mumbai on 11/12/02/2026. Further it is alleged that during search at the office premises of M/s. Orange Box Line (India) located at 309, Ruby Monarch Arcade, Saki Naka, Mumbai, 400 072 from 11/02/2026 to 12/02/2026 under panchanama dated 12/02/2026, including forged bills of lading purportedly

showing transit from Bandar Abbas Port (Iran) to Jebel Ali Port (UAE), conclusively established that there was no actual movement of goods from Iran to UAE. In the absence of any lawful transit or corroborative shipping documents, it is further established that, goods cannot be treated as originating from Afghanistan.

3. The present applicant is one of the beneficiary to arrange and executed illegal imports violating the SAFTA in order to claim SAFTA benefits. He willfully let his IEC and credentials be used for fraudulent availment of SAFTA benefits for imports of walnuts. Therefore, the applicant came to be arrested on 21/02/2026 in connection with the crime in question.

4. Heard Ld. Adv. Shri Aditya Talpade for the applicant and Ld. Adv. Shri Aatif Shaikh for the opponent department. Perused application and say filed by opponent department at Exh.4.

5. Shri. Talpade argued that the applicant is innocent and unnecessarily dragged in false and frivolous case. The applicant holds a valid import-export code (IEC) and is engaged in legitimate import business. The applicant relied upon commercial and shipping documents issued by overseas suppliers and customs intermediaries in ordinary course of trade and had no role in preparation of fabrication of such documents. The applicant neither generated nor authenticated any foreign customs record and had no technical ability or authority to verify foreign portal

data. The issue of origin determination is documentary and subject to adjudicate under Customs Act. Shri Talpade further argued that the crime in question is revolving around digital as well as documentary evidence to which the opponent department can make its access easily by approaching the concerned authority. The applicant is behind bars since 21/02/2026. In view of aforesaid circumstances his further detention in jail is not required. The applicant is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Shri Talpade prayed that the applicant be enlarged on bail.

6. Per contra, Shri Shaikh, submitted that accusations leveled against applicant are well founded. The material available on record shows that applicant was deliberately involved in usage of forged documents based on which SAFTA benefit was availed on goods imported, causing a loss of corers of revenue to the exchequer. The Dubai Customs Export documents clearly establish that the true origin of imported goods is China which can be independently verify through the QR Code provided on the Dubai Customs Portal. Contrary to this, the applicant deliberately declared the goods are of Afghan origin in the bill of entry, therefore fraudulently availing SAFTA benefits and evading basic customs duty to the tune of Rs.10,09,70,128/-. The investigation further reveals that the applicant in collusion with M/s. Pratha Shipping Services and M/s. Access World Wide Cargo orchestrated the import through M/s. Zamvix Trading, UAE with

co-accused Vinay Bhadra booking all containers and using the applicant's IEC to evade lawful custom duties. These acts constitute deliberate mis-declaration of origin, forgery of documents and fraudulent evasion of duty. Shri Shaikh further submitted that in present case magnitude of duty evasion, the systematic manipulation of documents and the likelihood of further unearthing of evidence does not justify the release of applicant on bail. Hence, Shri Shaikh prayed that the application be rejected.

7. I have given thoughtful consideration to the submissions advanced by both the Ld. Advocates. I have also gone through the material placed on record. On appraisal of papers prima facie it appears that applicant is just a person who filed documents before the customs authority. So far as the present case is concerned documents which have been submitted before Customs Authority which are formally checked and duly assessed by the customs authority before clearing the consignment passed. During declaration of goods before customs department the proper officer has examined the goods and accepted the goods at the time of clearance of the goods. There was no evasion whatsoever as alleged by the department. It seems that the assessment officer has never created any issue with the benefit of the importer who was seeking the SAFTA benefits. The involvement of the applicant in the crime in question came to be revealed on the basis of statement made by co-accused. Therefore prima facie it creates doubt about the involvement of appli-

cant in the crime in question. The investigation with regard to crime in question is revolving around documentary as well as digital evidence and the investigating agency can easily make its access to such documents by approaching the concerned authority. The applicant is languishing in jail since 21/02/2026. substantial part of the investigation must have completed. Considering aforesaid aspects and role attributed to applicant, in my view his further detention in jail is not warranted. So far as the apprehension raised by the Ld. Adv. Shri Shaikh is concerned, the same can be taken care by imposing certain conditions upon the applicant. Resultantly, I pass the following order.

**ORDER**

1. The application is allowed.
2. The applicant Rajkumar Gopinanth Nair shall be released on bail in F.No.SG/MISC-167/2025-26/CIU/JNCH on his executing PR bond in the sum of Rs.1,00,000/- with two sureties in the like amount to the satisfaction of learned Lower Court.
3. The applicant shall attend Intelligence Officer, Central Intelligence Unit Mumbai Zone II on every Thursday between 11.00 a.m. and 2.00 p.m. for two months and thereafter as and when called.
4. Applicant shall furnish his residential address proof and shall not change the address without advance intimation in writing to the Court and the Intelligence Officer, Central Intelligence Unit Mumbai Zone II.
5. The applicant shall not directly or indirectly make any inducement, threat and promise to any person, acquainted with the facts of the case so as to dissuade

them from disclosing such facts to the Court or any Intelligence officer.

6. The applicant shall deposit his passport with the Investigating Officer/Intelligence Officer of Intelligence Officer, Central Intelligence Unit Mumbai Zone II within 7 days after his release and Intelligence Officer, Central Intelligence Unit Mumbai Zone II is allowed to retain the passport of applicant until further order.
7. Bail before learned Lower Court.

Panvel

Date :- 17/03/2026

( S. R. Ugale )

Additional Sessions Judge, Panvel.

**CERTIFICATE**

I affirm that, the contents of this PD.F file judgment/ order are same, word to word, as per the original Judgment.

Name of Stenographer : S. J. Sheth Grade 1  
Name of Court : District Court-1 and Additional  
Session Court Panvel  
Date of dictation (direct) : 17/03/2026  
Order checked and singed  
by PO on : 27/03/2026  
Order uploaded on : 27/03/2026