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

D.B. Income Tax Appeal No. 84/2025

Shri Hari Agro Industries Limited, 20,21 And 22 Old Industrial Area, Alwar, Rajasthan 301001 Having Pan Aadch7756H Through Its Authorized Signatory Mr. Mukesh Kumar Gupta, S/o Late Ramniwas Gupta, Aged About 55 Years, R/o 73/215, Mansarover, Jaipur 302020.

----Appellant

Versus

Assistant Commissioner Of Income Tax, Central Circle, Alwar, 1St Floor, Bsnl Building, Opposite Aayakar Bhawan, Moti Dungari, Alwar.

----Respondent

For Appellant(s)	:	Mr. Gunjan Pathak with Ms. Priyanshi Roongta
For Respondent(s)	:	Mr. Siddharth Bapna

**HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**

Order

29/04/2026

Heard learned counsel for the appellant.

This appeal is admitted on the following substantial questions of law:-

> *(A). Whether the Ld. ITAT under the facts and circumstances was Justified in confirming the estimate additional profit margin of 3% on sale of Rs. 4,97,20,407/- being Rs. 14,91,612/- made to "Shree Shyam Trading Company" and "M/s Sunmax Enterprises" on account of bogus sales and partly sustaining additions under the Income Tax Act, 1961 relying on statements of third parties without any corroborative evidence*

or indiscriminating material and made simply on the basis of surmises and conjecture?

(B). Whether the Ld. ITAT was justified in law in confirming the estimated profit margin relying only upon the statements made by a third party in another search conducted, whereas a Search was duly conducted upon the Appellant itself wherein there were no discriminating documents, information etc found by the Ld. Respondent?

(C). Whether the Ld. ITAT has erred in law in considering the alleged bogus sale proceeds as an income of the Appellant more so when the Appellant has already accepted the sales consideration, thus it is a case of double taxation, which is not warranted in the eyes of law?

List this appeal for hearing.

(ASHOK KUMAR JAIN),J (INDERJEET SINGH),J

Upendra Pratap Singh /35