



Chartered Accountants Association, Surat

President
CA. Rasesh Shah
+91 98241 29572

Vice-President
CA. Hardik Kakadiya
+91 99250 04220

Secretary
CA. Lalit Hirpara
+91 99794 38050

Treasurer
CA. Pratik Radadiya
+91 99099 91730

EC Member
CA. Mukesh Kabra
+91 9825107236

EC Member
CA. Ketan Gadhiya
+91 9067670032

EC Member
CA. Ashish Vadodariya
+91 9687934852

EC Member
CA. Dhaval Sonani
+91 9375554103

Ref: CAAS/Representations/2021-22/04

Date: 14/05/2021

To,
Commissioner of Police,
Office of the Police Commissioner,
Police Bhavan,
Athwalines,
Surat - 395001

Sub: Disgraceful Actions by Police Department

Respected Sir,

Our Association, Chartered Accountants Association Surat ("CAAS"), works for the betterment of CA Fraternity and improved working conditions of our members.

We appreciate your work relating to law and order with respect to pandemic for more than a year. Your tireless endeavor to protect the citizens of Surat is praiseworthy. We are heartily thankful on behalf of our association in this regard.

We would like to bring to your notice that Chartered Accountants are an integral part of the taxation system. Only due to their timely response in liaison with their clients, the tax assessment and its collection takes place on time. Needless to say such tax money goes on to pay for administrative, development and welfare purposes.

An atrocious environment is created where matters like illegal arrests, detention and mental harassment to ordinary citizens is a new normal. Amidst this environment, officers have now started making arrests without following due legal processes like issue of summons u/s 160 of



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CrPC, making illegal arrests without making prior inquiries to the satisfaction of the Investigating Officer, illegal detention of individuals without sufficient cause etc.

We regret to inform that now even the Police has started booking members belonging to the respectable fraternity of Chartered Accountants for *bonafide* actions done by these professionals in their routine course of work on behalf of their clients. In one such incident viz. M/s Sahyog Enterprise Bogus Billing Case (FIR No.11210015210109 dt.07/04/2021, DCB Police Station), one of our member, CA Shri Bharat Rupareliya was made accused in FIR dt.07/04/2021 without following due process of law. He was also subject to tremendous mental and emotional harassment besides the following:

1. Neither was he given **summons u/s 160** for CrPC, which is clear deviation of the established law and also a clear violation of Article 22 of the Constitution of India.
2. Nor were the **family members** of CA Bharat Rupareliya were **informed after the arrest**.
3. **Verbal abuse of staff** (including female employees) by the police officials at the office place of CA Bharat Rupareliya during the arrest.
4. Keys of the office of CA Bharat Rupareliya were snatched from employees and despite confiscation of documents required by the Police, the **office was locked illegally** without official seal from 07/04/2021 8 pm to 09/04/2021 11 am.
5. **Illegal detention** of CA Bharat Rupareliya under the name of Judicial Custody for more than 1 month (07/04/2021 to 11/05/2021) without any sufficient cause or evidence.

This poses serious question on the working of the Police with respect to the areas of taxation laws like GST over which it does not have direct jurisdiction, still it holds CA legal hostages for days without any evidence or even without any intent to investigate further to obtain those evidence. Later CA is released by the Hon'ble Court of the Chief Judicial Magistrate, Surat for lack of evidence u/s 169 of CrPC ([Copy Enclosed](#)). This further raises question as who is responsible



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for the loss of reputation, man hours, livelihood and over all the stigma on the noble profession.

Here it is pertinent to recall the golden words of wisdom of Benjamin Franklin

"It is better 100 guilty Persons should escape than that one innocent Person should suffer"

Our Representation:

We expect more maturity and responsible behaviour from the Police Department when allegations are made on citizens and especially on revered citizens like Chartered Accountants. We also demand an inquiry in the said matter and suitable punitive action be taken against those found guilty, so that no such incidents recur in future on any of our member. Your timely action and response on the said matter would be highly appreciated.

Thanks & Regards,

For Chartered Accountants Association, Surat.

Rasesh Shah *Lalit Hirpara*

President | Secretary

Ref: [Order of Hon'ble Court of Chief Judicial Magistrate, Surat on report of Police u/s 169 of CrPC](#)

CAAAS