

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Crl. Misc. No. M-38652 of 2014

Date of decision : 09.01.2015

Neeraj Kaushal & others

....Petitioners

versus

State of Punjab & others

...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. A.P.S. Sandhu, Advocate for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab.

Mr. Vidur Singh Rana, Advocate for respondents No.2 and 3.

RITU BAHRI , J. (Oral)

Quashing of the FIR No.330 dated 04.12.2008 under Sections 419, 420 of IPC, Sections 63, 64 Copy Right Act, 1957 and 103, 104 Trade Mark Act, 1989, registered at Police Station Focal Point, Ludhiana (Annexure P-1) and its consequential proceedings on the basis of compromise (Annexure P-2), is being sought.

FIR was registered with the allegations that the proprietor of the Balaji International Company are using the logo VIR-I on the spare parts of three-wheelers, which is the logo of the complainant company and it resembles with their logo. On this background, FIR was lodged.

In compliance of order dated 13.11.2014, status report has been received from District & Sessions Judge, Ludhiana and the statements of the parties have been recorded to the effect that they have compromised the matter.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.330 dated 04.12.2008 under Sections 419, 420 of IPC, Sections 63, 64 Copy Right Act, 1957 and 103, 104 Trade Mark Act, 1989, registered at Police Station Focal Point, Ludhiana (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of qua petitioners.

09.01.2015
Vinay

(RITU BAHRI)
JUDGE