

CRM NO. M-17789 of 2017 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-17789 of 2017 (O&M)
DECIDED ON : 21.09.2017

Pankaj Kumar

...Petitioner

versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Atul Lakhanpal, Senior Advocate with
Mr. R.S. Chahal, Advocate for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General,
Haryana.

Mr. J.S. Bhatia, Advocate for respondent No. 2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 113, dated 28.04.2017, under Section 63 of Copy Right Act, 1957, 103 Trade Marks Act, 1999 and 419, 420 IPC, registered at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that the petitioner along with co-accused had been selling mobil oil of John Deere Brand and the packing does not match with the original John Deere Brand. Learned counsel further contends that it is not the case in the FIR that the petitioner was selling substandard oil.

A Coordinate Bench of this Court vide order dated 31.05.2017, had directed the petitioner to join investigation and

in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Atma Ram states that although the petitioner has joined investigation but he is not disclosing from where he had purchased the mobil oil.

Learned counsel for the petitioner, however, contends that the recovery is alleged to have been made three days prior to the date of registration of the FIR, which makes it doubtful.

In view of the submissions of learned counsel for the petitioner and the petitioner having been joined investigation, the order dated 31.05.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly. This will not be construed as any expression on the merits of the case.

September 21, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>