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

**CRM-M No. 32279 of 2017
Date of Decision: 08.11.2017**

M/s New Bharat Rice Mills

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vikram Chaudhari, Senior Advocate, with
Mr. Ajay Kalra, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner-Firm, on whose behalf F.I.R. No. 160, dated 11.08.2017, under Section 420 of the Indian Penal Code and Sections 63 and 64 of the Copyright Act, 1957, was lodged at Police Station Civil Lines, Batala, seeks transfer of the investigation to an independent Agency, on the ground that the Local Police Authorities are allegedly shielding the accused persons.

2. There is an additional prayer upon the Official respondents for registering a case against a Local Company based in Ferozepur and its Directors for alleged offences being committed by them under the

Provisions of the Copyright Act, 1957, Trademarks Act, 1999, as well as Sections 420 and 120-B of the Indian Penal Code.

3. The basic grievance of the petitioner-Firm is that the accuseds have been selling and exporting rice in the Trade Name and Copyright of the present petitioner in a deceptive manner at various places in the State of Punjab, and outside.

4. It transpires that the effect of the offences allegedly being committed by the accused persons, is not confined to the Territorial jurisdiction of any particular Police Station or District in the State of Punjab.

5. In the circumstances, without making any comment on the allegation regarding alleged shielding of the accused persons by the Police Authorities, this Court is of the opinion that in any case, this is a fit matter to be investigated by an Authority which is competent to monitor the proceedings throughout the State in various Districts.

6. Consequently, the pending investigation is ordered to be transferred for further investigation by the Bureau of Investigation, Punjab Police. The Director of the Bureau is directed to appoint competent Officers for this purpose, within a fortnight from the communication of this order.

7. The second prayer regarding drawing up of F.I.Rs. in the District of Ferozepur shall be considered by the Investigation Team to be appointed by the Director of the Bureau of Investigation, Punjab Police, which shall thereafter take appropriate steps in the matter.

8. The Investigation Team, to be constituted by the Director of the Bureau of Investigation, Punjab Police, shall thereafter submit its final

Report of investigation to the competent Court as expeditiously as possible.

9. Disposed off.

08.11.2017
Apurva

(SUDIP AHLUWALIA)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No