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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3516/2017**
TYCO INTERNATIONAL SERVICES GMBH

..... Petitioner

Through: Mr Saif Khan and Mr Achuthan
Shreekumar, Advs

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr Piyush Singhal, Adv for
Mr Ashish Aggarwal, ASC for State
with SI Pradeep Kumar

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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08.02.2018

The petitioner is aggrieved by the manner in which the investigation is being carried out in the present case. Investigation was initially being carried out by the local police but thereafter it had been transferred to the DIU. The present investigating officer SI Pradeep Kumar is present in court. He is the 3rd investigating officer who has been changed in the present proceedings; the last investigation officer submits that he has received the file of this case in December 2017. This court has further been informed that the complaint under Section 156 (3) of the Cr.P.C had been filed by the complainant which is now pending before the learned ACMM and an Action taken report (ATR) has been sought by the learned ACMM. The next date fixed before the learned ACMM is 23.03.2018.

Learned counsel for the petitioner points out that there are various lapses being committed by the investigating officer and he is

not allowing the investigation to progress. His submission is that raid of the offending / infringing articles has not yet taken place. On this count learned counsel for the respondent, under instructions, submits that the address where the infringing articles have to be recovered has not yet been disclosed. The petitioner points out that this address cannot be disclosed till the last minute as there may be leakage of information which may then frustrate the raid.

It is accordingly directed that the investigating officer will conduct a raid and seize the infringing / offending articles; the raid be conducted on 15.02.2018 at a time to be fixed inter se the parties. The address where from the infringing articles have to be recovered will be made available to the investigating officer in the morning of 15.02.2018 (this is to safeguard the interest of the petitioner) and a copy of the same shall be placed before the court of the learned ACMM. The raid would be conducted and the outcome of the same will thereafter be informed to the court of the learned ACMM by the respondent by filing an appropriate status report to the said effect. Learned ACMM will thereafter deal with the matter and ensure that the investigation is completed at the earliest.

This petition is not pressed any further. Petition disposed of in the above terms.

Order *dasti* under the signature of the Court Master.

INDERMEET KAUR, J

FEBRUARY 08, 2018 / SU