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

CRM-M-6260-2022

Date of decision : 14.02.2022

Dhruv Arora

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Fuzail Ahmad Ayyubi, Advocate with
Mr. Mannat Anand, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

Mr. R.S. Rai, Sr. Advocate with
Mr. Anurag Arora, Advocate
for respondent No.2/complainant.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.11 dated 07.01.2022 registered under Sections 103 and 104 of the Trade Marks Act, 1999 and Sections 420, 467, 468, 471 of the Indian Penal Code, 1860 at Police Station Suraj Kund, District Faridabad (Annexure P-1) and all the subsequent proceedings arising therefrom.

Learned counsel for the State and learned Senior Counsel for

respondent No.2/complainant have raised preliminary objection that in the present case, the report under Section 173 of Cr.P.C. has not been submitted as yet and have relied upon judgment passed by the Hon'ble Supreme Court in **State of Karnataka and another Vs. Pastor P. Raju,** reported as **(2006) 6 SCC 728.**

In view of the above facts, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition, at this stage, with liberty to the petitioner to avail appropriate alternative remedy available to him, in accordance with law, in case, report under Section 173 of Cr.P.C. is against the petitioner.

He has further prayed that the concerned Investigating Officer may also be directed to consider all the documents which have been annexed alongwith the present petition before submitting its report under Section 173 of Cr.P.C.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn, at this stage, with liberty to the petitioner to avail appropriate alternative remedy available to him, in accordance with law, in case, report under Section 173 of Cr.P.C. is against the petitioner.

The concerned Investigating Officer would also consider all the documents which have been annexed alongwith the present petition before submitting its report under Section 173 of Cr.P.C. and it would be open to the Investigating Officer to consider them on their own merits.

Learned counsel for the petitioner, at this stage, has submitted

that the petitioner has filed the anticipatory bail application which is still pending and the present order should not have any adverse effect on the said anticipatory bail application.

Needless to mention that the order passed in the present case will have no effect on the anticipatory bail application filed by the petitioner which is still pending and the same would be decided independently on its own merits.

14.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No