

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

CRM-M-5443-2020

Date of Decision: September 19, 2022

SUKHWINDER SINGH ALIAS BOBBY

....Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: None for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

AMAN CHAUDHARY, J.(ORAL)

The present petition has been filed under Section 482 Cr.P.C. to direct respondent No.2 to open the seal of the premises of the petitioner's firm which was illegally locked on 03.07.2019 and 11 designs of cribbage game and black colour CPU of Foxn Company were illegally taken into possession after 2 years of registration of FIR No.6 dated 24.05.2017 under Section 65/66/72 of IT Act, 2000 and Section 103/104 of the Trade Mark Act registered at Police Station Punjab State Cyber Crime Police Station SAS Nagar, Mohali.

Notice in this case was issued on 07.02.2020, pursuant to which reply dated 25.10.2021 by way of an affidavit of Samarpal Singh, PPS, Deputy Superintendent of Police State Cyber Crime Cell, Phase IV, SAS Nagar (Mohali) on behalf of respondent Nos.1 to 3 has been filed.

Learned State counsel makes a reference to para 8-9 of the reply, which reads as thus:-

“8. That the forensic analysis of digital devices recovered from the possession of all the accused of FIR were done. Further, it is found that the accused had uploaded the similar patent design no. 285349 of the complainant on his website www.cribbageandcribage.com. The charge sheet against accused/petitioner Sukhwinder Singh was prepared U/S 173 CrPc and was submitted in the Hon'ble trial court on 04.12.2019. The reports received from the DITAC Lab after forensic examination were also submitted along with the charge sheet.

9. That the investigation of the case is still carried out by the Deputy Superintendent of Police, State Cyber Crime, SAS Nagar. However, detailed analysis of 11 seized designs of cribbage games were still pending. Now pending investigation of these 11 seized designs of cribbage games and CPU will be completed expeditiously and supplementary challan U/s 173(8) CrPc will be submitted in the Ld. court.”

In view of the above, learned State counsel submits that the present petition has been rendered infructuous and may be disposed of as such.

Disposed of as having been rendered infructuous. However, liberty is granted to the petitioner to avail any alternate remedy in accordance with law.

19.09.2022
Sangeeta

(AMAN CHAUDHARY)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No