

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2636 of 2017

Arising Out of PS. Case No.-329 Year-2017 Thana- UDWANTNAGAR District- Bhojpur

1. Sanjoy Kumar Das S/o Mr. Santiranjana Das Deputy General Manager - Sales, M/s John Deere India Private Limited, Patna Area Office - 3rd Floor, D S Business Park, Saguna More, Bailey Road, Danapur, Patna - 800014.
2. Sanjay Shrivastava S/o Mr. R.C. Shrivastava Supervisor - Customer Support, M/s John Deere India Private Limited, Patna Area Office - 3rd Floor, D S Business Park, Saguna More, Bailey Road, Danapur, Patna - 800013.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Director General Of Police, New Secretariat, Sachivalaya, Patna.
2. Inspector General of Police, Patna.
3. Deputy Inspector General of Police, Patna.
4. Superintendent of Police, Bhojpur, Ara.
5. Deputy Superintendent of Police First, Bhojpur, Ara.
6. Deputy Superintendent of Police Second, Bhojpur, Ara.
7. Investigating Officer, Udwanthnagar P.S. Case No. 329/2017, Ara.
8. Rajesh Kumar Singh S/o Lalan Singh P.S. Udwanthnagar, Dist- Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 05-05-2023 Heard learned counsel for the parties.

2. This application has been filed for setting aside the Udwanthnagar P.S. Case No. 329 of 2017 by which respondent no. 8 has falsely implicated the petitioners who are employees of M/s. John Deere India Private Limited under Section 420 of the Indian Penal Code and putting pressure on M/s. John Deere



India Private Limited to yield to his unsolicited and dishonest stipulation and demands and further directing for proper investigation by respondent nos. 1 to 7 in Udwantnagar P.S. Case No. 329 of 2017 registered against the petitioners.

3. As per prosecution case, respondent no. 8 has been running the dealership of the Company in the name of “M/s. Pratap Tractors” and that in front of his office the petitioners have fraudulently opened an office in the name of “Samrat Automotive” by unlawfully using Company’s name and logo. It is further alleged that because of the acts of petitioners, there is lot of traffic diversion creating business loss to the Respondent no. 8 and despite complaining about the same to the petitioners, they have not paid attention to his complaint since they were being benefited.

4. In view of the statement made in Para 4 of the counter affidavit, it is admitted position that no offence is made out. The para-4 reads as follows:-

“ That it is submitted that admittedly a dealership was given by the petitioners’ Company vide Agreement dated 22.07.2014 (Annexure-2 to the writ application) but surprisingly without asking show cause has given the dealership to Samrat Automobiles and has cheated the deponent and as such the present case has been filed.”



5. This application is allowed.

6. The F.I.R. of Udwanthnagar P.S. Case No. 329 of 2017 dated 19.10.2017, is hereby quashed with respect to the petitioners.

(Sandeep Kumar, J)

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