



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.7780 of 2025 (O&M)
Date of decision: 11.02.2025

Vinayak Sharma
.....Petitioner
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Inderjit Sharma, Advocate
and Mr. Navreet Dhaliwal, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'the BNSS, 2023'), is for quashing of FIR No.227 dated 13.10.2024 registered under Sections 384, 506, 511 IPC at Police Station Division 6, Police Commissionerate Jalandhar (Annexure P-1), and all other subsequent proceedings arising therefrom.
2. Learned counsel for the petitioner, *inter alia*, contends that the FIR (supra) was registered at the instance of M/s Aplicar Technologies Inc., a Canada-based company, on the basis of a complaint filed against Vinayak Sharma for blackmail and extortion. The company had engaged Vinayak as an independent contractor for business development, offering an incentive policy for 2023, which was not extended to 2024. However, Vinayak falsified an email by altering the

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2023 policy year to 2024 and wrongfully claimed incentives for the year 2024. Upon the company's refusal, he allegedly sent legal notices, lodged false complaints, and threatened to misuse company's confidential information in order to pressurize the company for paying him. M/s. Aplicar Technologies Inc., sent a legal notice on 03.06.2024, citing defamation, breach of trust, and confidentiality violations. In reply, Vinayak filed complaints against the company and its CEO in India, despite the dispute being civil in nature and the company being based in Canada. The complainant alleges that Vinayak's actions constitute fraud, extortion, and blackmail, and thus, the FIR (supra) was registered.

3. Learned counsel for the petitioner submits that the petitioner would be satisfied in case all the documents, which are annexed with the present petition, are considered by the Investigating Officer before preparing the challan/final report under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS, 2023').

4. Notice of motion.

5. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent – State and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the challan/final report under Section 193 of BNSS, 2023.

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6. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

7. Keeping in view the aforesaid facts and circumstances, present petition is disposed of with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 193 of BNSS, 2023.

8. It is clarified that in case, final report under Section 193 of BNSS, 2023, is against the petitioner, he would be at liberty to file afresh petition to challenge the FIR (*supra*) along with challan/final report under Section 193 of BNSS, 2023.

(HARPREET SINGH BRAR)
JUDGE

11.02.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No