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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1767/2023 & CRL.M.A. 16496/2023**
CANADIAN SOLAR ENERGY PRIVATE LIMITEDPetitioner
Through: None.

versus

STATE GOVERNMENT NCT OF DELHI & ORS.Respondents
Through: Mr. Anand V. Khatri, ASC.
SI Saveen Kharb, PS: IGI Airport.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.02.2025**

1. The Petitioner Company claims that in March 2023, they became aware that certain dishonest individuals were unlawfully using the Petitioner's name and trademark to deceive unsuspecting job seekers by offering them fake job opportunities in the Petitioner Company. In this regard, a complaint dated 27th March, 2023 was made at the concerned police station. In the said complaint, the commission of cognizable offences was disclosed, however, no action was taken. The Petitioner further states that they also visited the cyber-crime police station at Safdarjung Enclave on 26th April, 2023 as the complaint was transferred to cyber cell for enquiry. The Petitioner subsequently submitted a second complaint to the Commissioner of Police on 16th May, 2023, but again no action was taken. In the above background, the Petitioner has invoked Article 226 of the Constitution of India, 1950 seeking following prayers:

"I. Issue a writ, order or direction in the nature of mandamus or any other such direction thereby directing the Respondents to constitute a Special



Investigating Team (S.I.T.) or any other Investigation Agency / Team consisting of officers with credible experience in such matters, led by a senior level police officials of Respondent No.3 to look into / enquire into the grievances of the Petitioner Company;

II. Issue a writ, order or direction in the nature of Mandamus thereby directing the Respondents to furnish to this Hon'ble Court a detailed status report of action taken on the criminal complaint dated 27.03.2023 and 16.05.2023, preferred by the petitioner company;

III. Pass appropriate and immediate directions to the Respondent No. 4 i.e. SHO IGI Airport PS to provide adequate and necessary protection to the petitioner, its employees and assets;”

2. As per the status report filed by Respondents, following the preliminary inquiry, it was found that offences under sections 419/420 of the Indian Penal Code, 1860, Section 63 of the Copyright Act, 1957, and Section 103 of the Trademarks Act, 1999 had been committed. Consequently, an FIR No. 389/2023 dated 5th July 2023, under sections 419/420 of the IPC, and sections 63 of the Copyright Act and 103 of the Trademarks Act, was registered at PS IGI Airport, and the investigation is underway. Furthermore, the copy of FIR has already been provided to the Petitioner.

3. In light of the foregoing, since FIR has been registered and investigation is ongoing, no further directions are required to be passed in the present matter. Respondent No.4 shall conduct the investigation, in accordance with law and take appropriate action thereafter, if so required.

4. With the above direction, the present petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 24, 2025

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