



\$~18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2719/2017 & CRL.M.A. 15596/2017**

R R KARPATE & ORS

.....Petitioners

Through: Mr. Amit Tiwari, CGSC, Mr. Ayush Tanwar & Ms. Ayushi Srivastava, Advocates.

versus

THE STATE & ORS

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC, Crl., Mr. Alok Sharma, Mr. Amit Sahni & Mr. Vasu Agarwal, Advocates for State.

Mr. Anirudh Bakhru, Mr. Ayushi Puri, Mr. Kanav Madnani, Ms. Archita Mahlawat & Mr. Sultan Jafri, Advocates for R-2.

Mr. Devvrat Yadav, G.P.

S.I. Vinay, PS Keshavpuram, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

31.01.2025

%

1. The present Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioners to quash the FIR No. 443/2017 under Sections 420/34 of the Indian Penal Code, 1860 registered at Police Station Keshav Puram, Delhi.

2. It is submitted that the Petitioners received the Complaints dated 07.03.2017 and 15.03.2017 from Ram Swaroop Gupta and Vinod Gautam about unauthorised packing under Agmark Logo and Code Number by M/s



KBM Foods Private Limited. After some enquiries, it was decided to raid the premises of Respondent No. 2 on 30.03.2017. The raiding team comprising the Petitioners went to Police Station Keshav Puram, Delhi and sought the written Police protection for conducting the raid *vide* Letter dated 30.03.2017. Thereafter, the raid was conducted by the Petitioners at the premises of Respondent No. 2 where it was found that the Respondent No. 2 was, in fact, packing the ground spices by unauthorizedly using Agmark Insignia and Code Number.

3. FIR No. 242/2017 was lodged by the Petitioner No. 1/Dr. R.R. Karpate at Police Station Keshav Puram, Delhi.

4. However on 21.08.2017, the Respondent No. 2 lodged the present FIR against the Petitioners alleging that the Government Officials added one page to the original Complaint which did not exist. However, the said page only acknowledges the presence of witnesses at the spot.

5. Learned Additional Standing Counsel on behalf of the State, on instructions, submits that the Closure Report has already submitted.

6. In view of the submissions made, the present Petition along with pending Application is disposed of with liberty to the Petitioners to make the submissions before the learned Trial Court.

NEENA BANSAL KRISHNA, J

JANUARY 31, 2025

S.Sharma