



CRM-M-21127-2026

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

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CRM-M-21127-2026 (O&M)

Narinder Singh @ Narender Singh

...Petitioner

V/s

State of Punjab

...Respondent

Date of decision: 04.05.2026**Date of Uploading : 04.05.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.44 dated 26.03.2026, registered for the offences punishable under Sections 63 of the Copy Right Act, 1957 at Police Station A Division, Amritsar.

2. The brief facts, as culled out from the FIR in question, are that the instant FIR has been registered on the basis of a complaint made by one Sandeep Chaudhary, who claimed to be working as a Field Officer with Netrica Consulting India Pvt. Ltd. He alleged that he was duly authorized to look into instances of copyright infringement on behalf of reputed brands such as Levi Strauss & Co., Calvin Klein, Zara, Under Armour, Tommy Hilfiger and Skechers. As per the complainant, it was alleged that various shopkeepers in Amritsar were engaged in the sale of counterfeit garments

bearing fake labels of the aforesaid brands. Specific allegations were leveled



against a shop running in the name and style of “For brothers”, owned by the present petitioner, stating that duplicate garments including jeans, shirts and T-shirts bearing counterfeit trademarks were being sold from the said premises. Acting upon the said complaint, the police conducted a raid at the shop of the petitioner, during which a substantial quantity of garments allegedly bearing counterfeit labels of the aforementioned brands was recovered. It has been further alleged that the petitioner had evaded the arrest at the time of the raid and the recovered articles have been sent for forensic examination. On these set of allegations, the FIR in question came to be registered.

3. Learned counsel for the petitioner has iterated that the petitioner is a *bona fide* businessman engaged in the retail sale of garments and is running a shop under the name and style of M/s For Brothers at City Centre, Amritsar. Learned counsel has further iterated that the petitioner is duly registered under the GST Act and is carrying on his business in a lawful manner. According to learned counsel, the goods sold by the petitioner are procured from wholesale markets, particularly from Ludhiana, against proper bills and invoices, copies whereof have already been appended with the instant petition as Annexures P-2 (colly). It has been further contended that the petitioner has been falsely implicated into the FIR in question on the basis of a complaint made by a private individual and the allegations leveled therein are vague and unsubstantiated. Learned counsel has emphasized that the offence under Section 63 of the Copyright Act are not made out as there is no conclusive material on record at this stage to establish that the goods allegedly recovered are counterfeit in nature.



remains to be recovered from the petitioner and therefore, the custodial interrogation of the petitioner is not required in the facts and circumstances of the case. It has been further argued that the petitioner is a first time offender with clean antecedents and is not involved in any other criminal case. There is no likelihood of the petitioner absconding or tampering with the prosecution evidence and, thus, no useful purpose would be served by sending him behind the bars. On the strength of these submissions, a prayer has been made for grant of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the instant case involves serious allegations of infringement of copyright and sale of counterfeit garments bearing labels of well known international brands thereby causing wrongful loss to the rightful owners. According to learned State counsel, the FIR has been registered on the basis of a specific and credible complaint made by an authorized representative of the concerned brands and pursuant thereto, a raid was conducted at the premises of the petitioner. During the said raid, a substantial quantity of garments bearing counterfeit labels was recovered from the shop of the petitioner. It has been submitted that the investigation is at a crucial stage and the recovered articles have already sent for forensic examined. It has been contended that the custodial interrogation of the petitioner is essential to unearth the complete chain of supply of such counterfeit goods, to identify the source from where these goods were procured and to ascertain the involvement of other person who may be part of this illegal trade. Considering the nature of the allegations, the dismissal of the petition in hand is prayed for.



5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the allegations in the FIR in question, specific allegations have been made against the petitioner regarding sale of garments being counterfeit labels of well-known international brands. Acting on the credible information, the police conducted a raid and effected recovery of such articles from the shop of the petitioner. In the considered opinion of this Court, the nature and extent of recovery *prima facie* indicate involvement in activities that fall within the ambit of copyright infringement. The plea of the petitioner that the goods have been purchased through valid invoices cannot be accepted, at this stage, particularly when the prosecution has pointed out apparent discrepancies and the same are under investigation. The question regarding genuineness of the goods and documents is a matter that requires thorough investigation and cannot be conclusively determined/examined at this stage. It is apt to mention herein that the petitioner was not present at the time of the raid and allegedly evaded his arrest. The investigation is at nascent stage and the forensic report regarding the seized articles is awaited. No cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. The stand of the investigating agency is that the custodial interrogation of the petitioner is necessary to unearth the source and network of counterfeit goods. The offence alleged, though punishable up to three years, has wider ramifications on trade and commerce.

7. Furthermore, the plea that the petitioner of false implication is

a disputed question of fact which cannot be adjudicated upon while



considering a petition for grant of anticipatory bail. It is well settled that while exercising jurisdiction under Section 482 BNS, the Court must consider the nature and gravity of the accusation, the role attributed to the accused, the likelihood of fleeing from justice and the possibility of tampering with evidence of influencing witnesses. The scope of consideration of evidence/material at the stage of anticipatory bail is limited and the Court cannot go into the detailed appreciation of evidence or determine its admissibility, which is a matter to be decided during the course of trial. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. No material has been placed on record to show existence of any such enmity or motive for false implication. Bald assertions without supporting evidence cannot be made the basis for grant of anticipatory bail. The material which has come on record appears to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***], the Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court



has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

8. In view of the nature of allegations, the recovery effect and the and the requirement of the custodial interrogation for effective investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.
9. In view of the prevenient ratiocination, it is ordained thus:
- (i) The instant petition is devoid of merits and is hereby dismissed.
 - (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
 - (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 04, 2026
Ajay

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