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

+ **BAIL APPLN. 1895/2026 & CRL. M.A. 15315/2026**

SURESH KUMAR

.....Petitioner

Through: Mr. Sanchit Sehgal, Mr. Nagendra
Singh, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with SI Ravinder Kumar, ISC Crime
Branch.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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15.05.2026

1. By way of the present application, the applicant is seeking grant of anticipatory bail in case arising out of FIR bearing no. 364/2025, registered at Police Station Crime Branch, Delhi, for the commission of offences punishable under Sections 63/65 of the Copy Right Act, 1957 and Sections 349/318(4) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. Brief facts of the case are that a complaint was lodged by one Lalit, authorised representative of M/s Castrol Ltd., Anti-Counterfeiting Force Pvt. Ltd., that certain persons were engaged in the illegal manufacturing, refilling, packaging and sale of counterfeit Castrol lubricant oil within the jurisdiction of Delhi. Acting upon the said information, a raid was conducted



by the police team at Plot No. 54, near Pond and Shiv Mandir, Village Kamruddin Nagar, Nangloi, Delhi, where a large quantity of counterfeit lubricant oil, raw material, empty containers, labels, induction sealing machines and other packaging material bearing the trademark “CASTROL” were allegedly recovered. During the raid, several labourers were found engaged in filtering lubricant oil, mixing colour, affixing counterfeit labels, and sealing the containers. Upon inquiry, the said premises were found to be connected to the illegal manufacturing and packaging of counterfeit Castrol lubricant oil. The prosecution further alleges that the present applicant, along with his brother Sandeep, was involved in the aforesaid activities without any valid authority or licence, thereby cheating the general public by selling counterfeit products as genuine Castrol oil. On the basis of the complaint and the material allegedly recovered during the raid, the present FIR came to be registered under relevant sections.

4. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case. It is argued that co-accused Sandeep in the present case has already been granted regular bail. It is further argued that the applicant has no connection with the alleged offence, and that he had earlier joined the investigation and provided the GST certificate as requested by the IO. It is further argued that the applicant herein has not been convicted in any other criminal case. Further, it is also submitted that the applicant is ready to join the investigation as and when required. Therefore, it is prayed that the applicant be granted anticipatory bail.

5. The learned APP for the State, on the other hand, has vehemently opposed the present bail application, contending that a substantial quantity



of counterfeit Castrol Lubricant Oil, along with bottles/containers, Castrol labels, label sheets, and other incriminating articles, was recovered from two godowns during the course of investigation. It is submitted that the investigation has disclosed the involvement of the applicant/accused Suresh Kumar, who was allegedly engaged in the illegal refilling and sale of counterfeit Castrol Lubricant Oil in association with his brother and co-accused, Sandeep. It is further submitted that the custodial interrogation of the applicant is necessary for carrying out further investigation in the matter. The State has also contended that, despite the issuance and service of notice under Section 35(3) of the BNSS, the applicant has failed to join the investigation. Additionally, it is alleged that the applicant has previous involvement in a case of similar nature. Thus, it is prayed that the application be dismissed.

6. This Court has **heard** arguments addressed on behalf of the applicant as well as the the State, and has perused the material available on record.

7. This Court notes that the allegations against the present applicant pertain to his involvement in the illegal refilling, manufacturing and sale of counterfeit Castrol lubricant oil. As per prosecution, despite service of notice under Section 35(3) of the BNSS, directing the applicant to join the investigation, he has failed to join investigation.

8. Further, during the course of investigation, it came to light that the applicant herein used to procure raw oil, which was subsequently packed and labelled as 'CASTROL'. The investigation has further revealed that the rent, *qua* the premises where the alleged counterfeit Castrol Lubricant Oil was found to be stored and packed, was being paid by the present applicant.

9. Therefore, in this Court's opinion, the custodial interrogation of the



applicant is required in the present case for the purpose of finding the source of procurement of counterfeit oil as well as the *modus operandi* adopted by the applicant, for repackaging and selling it as genuine oil.

10. It is also pertinent to note that the applicant is involved in another case of a similar nature. Thus, considering the overall facts and circumstances of the present case, particularly the fact that the applicant has failed to join the investigation despite service of notice, and the allegations that the applicant used to procure the raw oil which was subsequently utilised for packaging counterfeit oil with the label of 'Castrol Oil', and that applicant is involved in another case of a similar nature, this Court is not inclined to grant anticipatory bail to the applicant.

11. Accordingly, the present application stands dismissed.

12. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 15, 2026/zp

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