

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 4566/2019

Raghuveer Singh @ Vikram Singh S/o Mool Singh

-----Petitioner

Versus

State of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr.Shubham Bhati with Ms.Bhumika Jain
For Respondent(s)	:	Mr.N.S. Dhakar, PP Mr.Rampal, S.H.O., PS-Sarwar, Ajmer

JUSTICE ANOOP KUMAR DHAND

Order

27/03/2026

1. On the previous dated, a preliminary objection was taken by counsel appearing on behalf of the petitioner that as per Section 115 of the Trade Marks Act, 1999, no Officer below the rank of Deputy Superintendent of Police or equivalent can conduct the investigation.
2. On the basis of the aforesaid submissions made by counsel for the petitioner, this Court vide order dated 13.03.2026 deemed it just and proper to call for the Investigating Officer to apprise this Court about the factual aspect of the matter.
3. Pursuant to the aforesaid order, the Investigating Officer Mr.Rampal, S.H.O. Police Station Sarwar, Ajmer has put his appearance in-person and he submits that after thorough investigation in the instant matter, the offence under the Trade Marks Act, 1999 have not been found to be proved and now, the investigation in the instant matter is being made under Sections

482 & 420 IPC and under Sections 63 & 65 of the Copyright Act, 1957.

4. Learned Public Prosecutor Mr.N.S. Dhakar further submits that though the Investigating Officer have not found a prima facie case of the offence requiring investigation under Section 115 of the Trade Marks Act, 1999 still such investigation can be conducted by the S.H.O. or any Officer below the rank of Deputy Superintendent of Police in terms of the judgment passed by the Co-ordinate Bench of this Court at Principle Seat, Jodhpur in the case of **Shivlal Vs. State of Rajasthan & Ors.** while deciding **S.B. Criminal Misc. Petition No.596/2005.**

5. Heard. The matter requires consideration.

6. List the matter on 13.04.2026.

7. Interim order, if any, to continue till then.

8. The Investigating Officer is not required to appear in-person on the next date of hearing.

(ANOOP KUMAR DHAND),J