

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS
JUDGE, AT: HAVERI.**

PRESENT

SRI.K.C.SADANANDSWAMY

B.Com., LL.M,

Prl. District & Sessions Judge, Haveri.

DATED THIS 03rd DAY OF JULY, 2024.

SC No.42/2024

Complainant:

State of Karnataka,

(Represented by Public Prosecutor)

//Vs.//

Accused:

M/S Lenit Pharmaceutical, Kargal (HP)

Represented by its Proprietor,

Dinesh Gupta, Age: 55 years,

Occ: Business, R/o-Plot No-2, Industrial Area,

Raja Ka Bagh, VPO Giora, Nurpur,

Dist Kangra (H.P.)

(By Shri.A.D.Hosamani, Advocate)

**ORDER ON BAIL PETITION UNDER SECTION 439 OF
CR.P.C., FILED BY ACCUSED**

The accused has filed this bail petition under Section 439 of Cr.P.C. for grant of regular bail in this case.

2. He is innocent. He has not committed any offenses. All offences are non bailable. He has got aged

mother, wife and children. He suffering from Blood-pressure and Diabetic. He is only earning member of his family. He is ready to abide by any conditions to be imposed by this court. It is prayed that bail petition is to be allowed with conditions.

3. The learned Public Prosecutor has orally objected.

4. This court has heard arguments on both sides and perused records carefully.

5. The following points are arisen for my consideration for decision on bail petition as under;

1) Whether accused has made out valid grounds for grant of regular bail under section 439 of Cr.P.C. in this case?

2) What order ?

6. My answer to above points are as under;

Point No.1:- In affirmative

Point No.2:- As per final order
for following;

:R E A S O N S :

7. **POINT NO.1:-** I have carefully gone through contents of bail petition, complaint, FIR and other police records. Investigating Officer has submitted charge sheet against accused for offences punishable under Sections 27 of the Drugs and Cosmetic Act, based on complaint lodged by complainant. He is on bail as per the order passed by this

court in CrI. Misc No-671/2021 dated 03/12/2021 and he is on bail by committal court. Hence, once bail is granted, it will be continued till end of trial or cancellation. The offences are not punishable with death or life imprisonment. It is a fit case to allow this bail petition. I have constrained to answer point No.1 in affirmative.

8. **POINT NO.2:-** In result, I proceed to pass following;

ORDER

The bail petition filed under section 439 of Cr.P.C. by accused is allowed with conditions.

CONDITIONS

- (1). The accused is enlarged on regular bail order on execution of personal bond and one surety bond for Rs.1,00,000/- each.
- (2). He shall not tamper prosecution witnesses.
- (3) He shall attend court regularly.
- (4) Accused has to file affidavit by mentioning his permanent address.

(Dictated to typist directly on computer and typed by her, print out, signed and corrected by me and then pronounced in open court on 3rd day of July, 2024.)

(SRI.K.C.SADANANDSWAMY)
PRL.DISTRICT AND SESSIONS JUDGE,
HAVERI.