

ORDER BELOW Exh.1 IN CRIMINAL M.A. NO. 431/2023

(CNR No. MHNS-2000-2152-2023)

The present application is filed by the applicant under Section 23(5)(b) of the Drugs & Cosmetic Act, 1940 seeking permission to keep the seized stock of drugs in the safe custody of the respondents till further order of this Court.

2. It is the contention of the applicant that on 11.10.2023 the applicant seized stock of drugs from premises in the possession of the respondents. The office of the applicant is located at the 5th Floor of Udyog Bhawan Building, Satpur, Nashik and there is no enough space to store the seized medicine stock. Therefore, it is necessary to keep the seized stock of drugs in the custody of the respondents on the condition that they should not use, sale, distribute, tamper and dispose of said drugs till the order of the Court. Therefore, the applicant has filed the present application.

3. By filing pursis at Exh. 2 the respondents have no objection to keep this said seized drugs in their premises.

4. I have perused the application and the record. Section 25(5)(b) of the Drugs & Cosmetic Act, 1940 provides that "If the inspector seizes the stock of the drug he shall as soon as informed Judicial Magistrate and take his orders as to custody thereafter". In the present case there is nothing on record to indicate that entrusting the seized stock to the respondents in safe custody prejudice the applicant. The respondents can be directed to retain this stock in the same condition and not to dispose of, transfer, alter or otherwise deal with the same without prior permission of this Court. Hence, considering the nature of the seized article and the provision of Section 25(5)(b) of the Drugs & Cosmetic Act. I am of the opinion that the application deserves to be allowed. Hence, I pass the following order :--

O R D E R

1. The application is allowed.
2. Permission is granted to keep the seized stock of drugs in the safe

custody of the respondents until further order of this Court.

3. The respondents shall maintain the seized stock in the same condition in which it was seized and shall not sale, transfer, distribute, consume, alter and tamper with or otherwise deal with it without obtaining prior permission from this Court.

Date- 04-08-2026

(R.R.Jadhav)
Judicial Magistrate,First Class,
Court No.2, Sinnar.

CERTIFICATE

I affirm that, the contents of this PDF file of Order/Judgment are same word to word as per the original Order/Judgment.

Name of Stenographer	: S. M. Morankar
Court	: 2 nd Jt. Civil Judge J. D., Sinnar
Date	: 04.08.2026
Order signed by the Presiding Officer	: 04.08.2026
Order Uploaded on	: 05.08.2026