

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CRM(M) No. 517/2022
CrlM No. 1454/2022 and 1455/2022

M/s VADSP Pharmaceuticals

.....Petitioner(s)

Through: Mr. Salih Pirzada, Adv.
with Mr. Nitin Bhasin
and Ms. Sharaf Wani, Advocates.

V/s

UT of J&K through Drug Control Officer (Drug Inspector) Zone II Srinagar
..... Respondent(s)

Through:

CORAM:

Hon'ble Mr. Justice Sanjay Dhar, Judge.

ORDER

30.11.2022

The petitioner has challenged the complaint filed by the respondent against it alleging commission of offence under Section 18(a) (i) read with 27(d) of the Drugs and Cosmetics Act, 1940 which is stated to be pending before the court of Chief Judicial Magistrate, Srinagar.

It has been contended by learned counsel for the petitioner that the samples of the drugs which is the subject matter of the impugned complaint had expired in the year 2020 and the impugned complaint has been lodged in the year 2022 thereby infringing the right of the petitioner to apply to the court for reanalysis of the samples.

Issue notice to the respondent subject to taking of necessary steps by the petitioner within a weeks' time.

Till next date of hearing before the Bench, the proceedings in the impugned complaint before the trial Magistrate shall stand stayed.

List on 03.02.2023.

(Sanjay Dhar)
Judge

SRINAGAR

30.11.2022

"Aasif"