

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CRM(M) No.746/2023

Jasbir Singh Anand

....Petitioner(s)/Appellant(s)

Through :- Mr. Vishal Goel, Advocate.

V/s

Union of India

....Respondent(s)

Through :-

Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

01. In the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C. seeking quashment of proceedings in complaint passed by the Court of learned Chief Judicial Magistrate, Jammu titled Union of India through Inspector Central Drugs V/s M/s Ethicare Laboratories and ors. filed against the petitioner registered under section 18(a)(i) of Drugs and Cosmetics Act, 1940 read with 27(d) as well as setting aside of subsequent order of cognizance.
02. It is contended by learned counsel for the petitioner that the petitioner is a small scale registered industrial units, holding license to manufacture Drugs/Pharmaceuticals, including injections in the name and style given above, at Industrial Estate, Digiana, Jammu. It is urged that the complaint as against the petitioner is not maintainable. There appears to be merit in the submission made by learned counsel for the petitioner and as such, a case for grant of interim indulgence is made out.
03. Issue notice to the respondent in the main petition as well as in CM, returnable within four weeks.
04. List on 11.10.2023.

05. Till next date of hearing before the Bench, the proceedings in the impugned complaint as against the petitioner pending before the trial Magistrate, Jammu shall remain stayed.

Alteration/modification on motion.

(MOKSHA KHAJURIA KAZMI)
JUDGE

Jammu:
01.09.2023
Eva

