

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

S.B. Criminal Misc(Pet.) No. 9730/2025

1. Firm M/s Pushkar Pharma, Bhandari Wala, Kheri Kala-Amb 173030 District Sirmor, State Himachal Pradesh Through Chandra Shekhar Pushkarna R/o 186 Model Town Ambala City
2. Chandra Shekhar Pushkarna W/o Ramnath Sharma, Aged About 60 Years, R/o 186 Model Town Ambala City
3. Smt Rachna Sharma, Aged About 54 Years, Partner Firm M/s Pushkar Pharma Bhandari Wala, Kheri Kala-Amb 173030 District Sirmor, State Himachal Pradesh Through Chandra Shekhar Pushkarna R/o 186 Model Town Ambala City
4. Noor Alam, Aged About 55 Years, Testing Chemist, Firm Pishkar Pharma, Bhandari Wala, Kheri Kala-Amb 173030 District Sirmor, State Himachal Pradesh R/o Village Doriya, Post Office Parnava, District Aurangabad, Bihar
5. Vinit Kumar S/o Surendra Singh, Aged About 45 Years, Testing Chemist, Firm M/s Pushkar Pharam, Bhandari Wala, Kheri Kala-Amb 173030, District Sirmor, State Himachal Pradesh, R/o Village Manpur, Post Office Ahwanpur, District Moradabad, Uttar Pradesh

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. State Of Rajasthan, Through Drugs Control Officer, Jodhpur Raj

-----Respondents

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|-------------------|---|------------------------------------------------|
| For Petitioner(s) | : | Mr. Hari Shanker Shrimali<br>Ms. Anu Choudhary |
| For Respondent(s) | : | Mr. Ramesh Dewasi, PP                          |

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**HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

**Order**

**09/03/2026**

The present criminal misc. petition has been filed by the petitioner under Section 528 of BNSS (482 Cr.P.C.) for quashing of proceedings in Criminal Case No.194/2025 Additional Sessions Judge No.6, Jodhpur Metro.

Learned counsel for the petitioner submits, that in the present case, the third sample of the drug in question has not been supplied. It is further submitted that even the CDL Report from the laboratory at Kolkata has not been received. In the absence of the same, no proceedings have been initiated.

Learned counsel for the petitioner relies upon the Judgment passed by the Hon'ble Supreme Court in the case of ***Laborate Pharmaceuticals India Ltd. & Ors. Vs. State of Tamil Nadu reported in (2018) 15 SCC 93*** and order dated 12.05.2022 passed by a co-ordinate bench of this Court in ***S.B CRLWP M/s Vivek Pharmachem (India) Ltd., Vs. State of Rajasthan & Ors.***

In the submissions made, this Court is inclined to interfere.

Issue notice, returnable within four weeks.

Learned Public Prosecutor accept notice on behalf of both the respondents.

In the meanwhile and till the next date further proceedings in Criminal Case No.194/2025 Additional Sessions Judge No.6, Jodhpur Metro shall remain stayed.

**(BALJINDER SINGH SANDHU),J**