

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40490 of 2013

Arising Out of PS.Case No. -31 Year- 2007 Thana -MUNGER COMPLAINT CASE District-
MUNGER

- =====
1. Ind-Swift (Unit-1) Plat No 23, Sector-2, Parwanoo, Himachal Pradesh Through Authorized Representative Mr Nitin Bansal, Son Of Surender Bansal , R/O House No 1231, Sector -19, P.S.-Sector 19, Chandigarh, Distt-Chandigarh (Hariyana)
 2. Dr Gopal Munjal Son Of Late Bhupinder Nath Munjal Managing Director, M/S Ind-Swift (Unit-I), Plat No 23, Sector-2, Parwanoo, Himachal Pradesh

.... Petitioners

Versus

1. The State Of Bihar
2. Rajesh Kumar Sinha, Inspector Of Drugs, Munger Sub Division, Munger, Sadar Hospital Campus, Munger

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Dr. Rajesh Kumar Singh, Advocate.

For the Opposite Parties : Mr. Mayanand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

5 07-04-2017 This Criminal Miscellaneous has been filed for setting aside the order dated 07.12.2007 passed by the learned Chief Judicial Magistrate, Munger in Complaint Case No. 31C-2 of 2007, whereby and whereunder, cognizance has been taken against the petitioners under sections 27 (a) and 27 (c) of the Drugs and Cosmetics Act and further the order dated 07.01.2013 passed by the learned Sessions Judge, Munger in Criminal Revision No. 82 of 2011, whereby the revision application was rejected.



Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

Perused the orders dated 07.01.2013 and 07.12.2007 and also perused the complaint petition. After proper enquiry the complaint petition was filed finding the petitioners guilty for committing the offence under sections 27 (a) and 27 (c) of the Drugs and Cosmetics Act. The learned C.J.M. after finding prima-facie case to be made out against the petitioners has passed the order dated 07.12.2007 and there is no illegality, incorrectness or impropriety in the said order. After long lapse of time the revision was filed and as such the condonation petition filed by the revisionists was not allowed and the same was refused and accordingly the revision petition was dismissed which appears quite proper, legal and correct. At this stage, the court is only required to see as to whether on the basis of the materials available on the records prima-facie case is made out or not and the learned C.J.M. after finding prima-facie case to be made out has passed the impugned order.

In my opinion, there is no illegality, incorrectness or impropriety in the said order and the learned Sessions Judge, Munger has rightly dismissed the revision application. There is no need of any interference by this Court.



In the result, finding no merit in this Criminal
Miscellaneous the same is hereby dismissed.

(Jitendra Mohan Sharma, J)

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