

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.8320 of 2020**

- Simran Kukreja W/o Sanjay Kukreja Aged About 32 Years R/o Telipara Near Shivangi Hospital, P. S. City Kotwali, Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station City Kotwali, Bilaspur District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent**MCRC No.8991 of 2020**

- Sanjay Kukreja S/o Shri Kripal Lal Chand Kukreja, Aged About 34 Years R/o Telipara Near Shivangi Hospital, P.S. City Kotwali, Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Station House Officer, Police Station City Kotwali Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant/s	:	Shri Manoj Paranjpe, Advocate
For Respondent/State	:	Shri Lalit Jangde, GA

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/03/2021**

Heard.

1. The aforesaid bail applications (M.Cr.C.No.8320 & 8991 of 2020) are being disposed off by a common order as both bail applications arise out of the same crime number.
2. The applicants have moved these bail applications under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.237/2020 registered at Police Station City Kotwali, Bilaspur, District Bilaspur for the offence punishable under Section 420, 467, 468, 471 of the IPC. The applicants were arrested on 29-10-2020.
3. Prosecution case is that initially the applicant Smt. Simran Kukreja was granted medical license, but, later on, the said license was cancelled and

thereafter, a complaint was received that the applicant-Simran Kukreja and her husband-co accused-Sanjay Kukreja were found running medical shop.

4. Learned counsel for the applicant submits that the seizure of medicines has been explained by stating that when drug license was cancelled, at that time, various unsold medicines have remained with them and nobody has come with the complaint that he had purchased the medicine from the shop or any material that the applicants have opened shop and selling medicines. Learned counsel for the applicant would further submit that the applicant-Simran Kukreja is a lady and investigation is complete and charge sheet has been filed and her husband-Sanjay Kukreja is not the person, in whose name, the license was given, but, it was in the name of his wife-Simran Kukreja. Therefore, in these circumstances, it is prayed that the applicants may be granted bail.

5. On the other hand, learned counsel for the State/non-applicant opposes the bail application by submitting that on the basis of material available in the charge sheet, prima facie case is made out against the applicants, because though a drug license was issued in favour of Simran Kukreja, but, later on, it was cancelled, even then, complaints were received that the applicants are selling medicines.

6. Taking into consideration the submission of learned counsel for the parties, nature of allegations and that the applicant-Simran Kukreja is a lady and the license is alleged to have given in her name, which was later on cancelled and her husband-Sanjay Kukreja is an associate and further that there is no material to show that the applicants are likely to abscond or tamper with the prosecution witnesses, in my considered opinion, the present is a fit case for grant of bail to the applicants.

7. Accordingly, the bail applications(M.Cr.C.No.8320 & 8991 of 2020) are allowed. It is ordered that the applicants shall be released on bail on each of them furnishing a personal bond of Rs.25,000/- along with two local surety of the like amount to the satisfaction of the concerned trial Court on the condition that they shall appear before the trial Court regularly on each and every date of hearing, unless exempted. It is made clear that if the applicants are found selling medicines without appropriate license, bail granted to the applicants shall be liable to be cancelled and it would be open for the State to apply for cancellation of bail.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge