

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 894 OF 2023

Between:

Alkem Laboratories Ltd, Through the Managing Director, Alkem House, S.B. Marg,
Lower Parel, Mumbai 400013.

...PETITIONER/ACCUSED No.6

AND

The State of Telangana, rep by Public prosecutor High Court of Telangana
Hyderabad Through the Drugs Inspector, Balanagar Zone, Ranga Reddy District.

...RESPONDENT/COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records pertaining to CC No. 8222/2022 before the Principal Junior Civil Judge-cum-VIII Addl. Metropolitan Magistrate, Ranga Reddy Dist. at Kukatpally and quash the same so far as the Petitioner is concerned.

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with the filing of the Certified Copies of PRC No. 32 of 2014 on the file of the Principal Junior Civil Judge-cum-VIII Addl. Metropolitan Magistrate, Ranga Reddy Dist. at Kukatpally and Order dt. 31.10.2022 of Principal Junior Civil Judge cum-VIII Addl. Metropolitan Magistrate, Ranga Reddy Dist. at Kukatpally which the PRC was converted into C.C No. 8222/2022.

I.A. NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased To stay of all further proceedings in CC No. 8222/2022 on the file of the Principal Junior Civil Judge-cum-VIII Addl. Metropolitan Magistrate, Ranga Reddy Dist. at Kukatpally pending disposal of the said Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M PRATHEEK REDDY, Advocate for the Petitioner and the Addl. Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.894 OF 2023****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.6 to quash the proceedings against him in C.C.No.8222 of 2022 pending on the file of Principal Junior Civil Judge cum VIII Additional Metropolitan Magistrate, Ranga Reddy District at Kukatpally. The offence alleged against him is under Section 32(1) of Drugs and Cosmetics Act, 1940.

2. Heard learned counsel for the petitioner-Accused No.6 and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. The petitioner is arrayed as Accused No.6-Company. This Court in Criminal Petition Nos.1377 of 2017, 9767 of 2017 and 14798 of 2014 has quashed the proceedings against accused Nos.7, 8 and 9 mainly on the ground that there was a valid license for manufacturing drugs.

4. The only allegation made against the petitioner - company and the persons responsible is that they were manufacturing drugs without a valid license. The existence of a valid license was not disputed, on the basis of which proceedings against petitioners - accused Nos.7, 8 and 9 was quashed earlier.

5. Since the proceedings against the persons responsible were already quashed, in view of the petitioner - company holding a valid license, the proceedings against this petitioner are also liable to be quashed.

6. Accordingly, the Criminal Petition is allowed and the proceedings against the petitioner - Accused No.6 in C.C.No.8222 of 2022 pending on the file of Principal Junior Civil Judge cum VIII Additional Metropolitan Magistrate, Ranga Reddy District at Kukatpally, are hereby quashed. The orders passed by this Court in Criminal Petition Nos.1377 of 2017, 9767 of 2017 and 14798 of 2014, shall form part of this order.

Miscellaneous applications pending, if any, shall stand closed.

Sd/-MOHD.ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Junior Civil Judge Cum VIII Additional Metropolitan Magistrate, Ranga Reddy District.
2. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri. M.Pratheek Reddy, Advocate [OPUC]
4. Two CD Copies
BJLB



HIGH COURT

DATED:30/01/2023

ORDER

CRLP.No.894 of 2023



CRIMINAL PETITION IS ALLOWED.

⑥ vny
10/1/23