

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-8667-2024 (O&M)
Date of Decision:-27.2.2024

Dalip Kakkar and others ... Petitioners
Versus
State of Punjab through Drug Inspector, Ludhiana-1 ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pankaj Katia, Advocate and
Mr. Amit Kaushik, Advocate for the petitioners.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek quashing of Complaint No.COMA/48844/2023 titled State Vs. Dalip Kakkar and others, under Section 18(a)(I) read with Section 84-E punishable under Section 27(d) of Drugs and Cosmetics Act, 1940 and Rules 1945, dated 21.9.2023 (Annexure P-1) and also the summoning order dated 9.1.2024 (Annexure P-3)
2. Upon hearing learned counsel representing the petitioners, this Court finds that while petitioner No.1 is the Managing Director, the remaining petitioners are the Directors of the company. While it can be said that Managing Director would be responsible for over all running and managing the affairs of the company, the other Directors may be having a limited role. In any

case, this Court is of the opinion that it would be appropriate that the petitioners apprise the Trial Court about the factual position as regards the nature and extent of their role and responsibility in running the affairs of the company at appropriate stage particularly as regards the role of the petitioners.

3. The instant petition, as such, is disposed off with liberty to the petitioners to raise all the pleas as have been raised herein before the Trial Court at appropriate stage including the stage of consideration of framing of charges.
4. Needless to mention, the Trial Court shall take all steps for expeditious conclusion of the trial.

27.2.2024

Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No