



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202-2

CRM-M-6823-2025 (O&M)
Decided on : 26.09.2025

MOHD JUBAIR . . . Petitioner(s)

Versus

STATE OF HARYANA . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Jashandeep Sandhu, Advocate for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	Com plaint No.	Date	Section(s)	Police Station	District
MOHD JUBAIR	19	25.09.2024	Under Section 18(A), 18-B, 18(c), 17(B)(d) and 17 (B)(e) of The Drugs and Cosmetics Act, 1940	Gurugram	Haryana

2. Learned counsel for the petitioner contend that petitioner has been summoned in the complaint case. Thereupon, he appeared before the Court concerned and summoned in the complaint case, however he being inside the jail since September 2024 has already suffered the sufficient



period of incarceration. Since, evidence before the Court below depends upon documentary evidence and report prepared by the concerned department, any longer incarceration of the petitioner would not serve any meaningful purpose to the prosecution. Learned counsel for the petitioner submits that present petitioner would continue appearing before the trial Court and he will never try to impress upon the witnesses also.

3. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that the petitioner is indulged in a serious offence. He has cheated upon public in general by selling the spurious/substandard medicines which were meant for treatment of rheumatoid arthritis. Therefore, he does not deserve any leniency and prays for dismissal of the present petitions.

4. I have heard the learned counsel for the parties and perused the relevant material on record.

5. It is also stated that the co-accused, namely Yusuf Khan and Mohd. Naseem, have already been granted the concession of regular bail by this Court in CRM-M-19138-2025 & CRM-M-12113-2025 vide orders dated 29.08.2025, respectively.

6. Admittedly, petitioner is inside jail since September 2024. Even proceedings before trial Court are at initial stage and charges have not been framed yet. Conclusion of trial is going to take considerable time and curtailing the liberty of petitioner for longer period will not serve any purpose.



7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petitions are allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

September 26, 2025

Deepak Patwal

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*