

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202 CRM-M-19138-2025
Decided on : 29.08.2025

YUSUF KHANPETITIONER

Versus

STATE OF HARYANARESPONDENT

CRM-M-12113-2025

MOHD. NASEEMPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

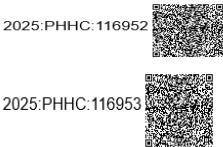
Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate and
Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Amish Sharma, AAG, Haryana
assisted by Amandeep Chauhan, Drugs Control Officer,
Gurugram.

SANJAY VASHISTH, J.

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

Name of Petitioner(s)	Complaint bearing DD Entry No.	Date	Section(s)	Police Station	District
1.Yusuf Khan (COMA-21-	19	25.09.2024	Under Section 18(c) punishable under 27(b)(ii),	Sadar	Gurugram



2024 dated 16.12.2024)			18(a) punishable under Section 27(d), 18-B punishable under Section 27(d), 17B(d) punishable under Section 27(a) and 27(c), 17(B)(e) punishable under Section 27(a) and 27(c) read with Section 36AB of the Drugs and Cosmetics Act, 1940		
2. Mohd. Naseem	19	25.09. 2024	under Section 18(A), 18-B, 180, 17(B)(d) and 17(B)(e) of the Drugs and Cosmetics Act, 1940		

2. Learned counsel for the petitioners contend that petitioners have been summoned in the complaint case. Thereupon, they appeared before the Court concerned and summoned in the complaint case, however they being inside the jail since September 2024 have 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 petitioners would not serve any meaningful purpose to the prosecution. Learned counsel for the petitioners submit that present petitioners would continue appearing before the trial Court and they will never try to influence upon the witnesses also.

3. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that the petitioners are indulged in a serious offence. They have cheated upon public



in general by selling the spurious/substandard medicines which were meant for treatment of rheumatoid arthritis. Therefore, they do 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. Admittedly, petitioners are inside jail since September 2024. Even proceedings before trial Court are at initial stage and charges have not been framed yet. Also, investigation qua some of the accused is under way and report is yet to be submitted. Conclusion of trial is going to take considerable time and curtailing the liberty of petitioners for longer period will not serve any purpose.

6. 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.

7. Consequently, prayer made in the present petitions are **allowed**. Petitioners are 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.

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

9. 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

CRM-M-19138-2025

CRM-M-12113-2025

2025.PHHC:116952



2025.PHHC:116953



the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. Petition stands disposed of.

A photocopy of this order be placed on the file of connected case.

(SANJAY VASHISTH)
JUDGE

29.08.2025

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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**