

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-33675-2025 (O&M)

Date of reserved: 28.10.2025.

Date of Pronouncement:13.11.2025

Dr. Rajinder Rajan

...Petitioner.

Versus

Union of India and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Argued by: Mr. Vikram Chaudhari, Sr. Advocate with
Ms. Diya Bhagwan, Advocate and
Mr. Parminder Singh Sekhon, Sr. Advocate with
Mr. R.S. Gill, Advocate for the petitioner.

Mr. Rajiv Sharma, Advocate
for respondent-NCB.

Mr. Adesh Pal Singh, AAG, Punjab.

SUKHVINDER KAUR, J.

Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case Crime No.14 dated 01.05.2025, under Sections 8, 22, 29 of NDPS Act, registered at Police Station Narcotics Control Bureau, Amritsar Zonal Unit, District Amritsar.

As per prosecution case, on 01.05.2025, the officers of Narcotics Control Bureau, Amritsar Zonal Unit recovered 31900 tablets of Tramadol from Ballista Pharmaceuticals, SCF-6, Jawala Estate, Haripura Road, Amritsar. A crime case bearing NCB Crime No. 14 dated 01.05.2025, under Section 8, 22 of NDPS Act, 1985 was registered against Amit Bhandari. During following of said case NCB conducted raid at Corporate Medicos, Inside Corporate Hospital, Amritsar and recovered 2000 tablets of

Tramadol and arrested Dr. Rajinder Rajan on 02.05.2025 and also arrested Dr. Jatinder Malhotra on 03.05.2025. Another team of NCB Amritsar raided at Life Kare Medicare Inside Life Kare Hospital, Nirankari Colony, Fatehgarh Churian Road, Amritsar on 02.05.2025 and recovered 472 Tablets of Tramadol but the accused person Parveen Kumar, who is proprietor of the said firm Life Kare Medicare went absconding from the raided place.

Learned counsel for the petitioner contended that the petitioner is a renowned Orthopaedician and joint replacement surgeon, who is practicing for the last 25 years. 2000 tablets of Taricon-P (Tramadol) allegedly recovered from the Corporate Medicos (Indoor Pharmacy) was for providing treatment to the admitted patients in the hospital and were never purchased by the petitioner for further sale to drug addicts. The said tablets are required by chronic kidney patients, as a pain killer tablet and these were never used as intoxicant. Co-accused of petitioner namely, Dr. Jatinder Malhotra wrote a letter dated 19.04.2025 to the Ballista Pharmaceuticals for supplying 20 packs (strips) each containing 10 tablets and demand letter was for 200 tablets. Inadvertently, the manufacturer Ballista Pharmaceuticals mistakenly sent 2000 tablets vide bill dated 21.04.2025, which were delivered at the hospital of the petitioner. On noticing, said error that 2000 tablets had been wrongly delivered instead of 200 tablets the delivered box was never opened and not even a single tablet was used. Each tablet making Tricon-P has composition containing 325 mg of Paracetamol and 37.5 mg of Tramadol in each tablet and these tablets can not be used for the intoxication and are used for the pain suppression. He further contended that the petitioner had no mala fide intention and he has been falsely

implicated in the present case. The conclusion of trial of the case will take considerable time. No useful purpose would be served by detaining the petitioner in further custody. Learned counsel, therefore, prayed that the petitioner be granted concession of regular bail.

Per contra, learned State counsel as well as learned Public Prosecutor for the respondent-NCB opposed the present petition and submitted that 2000 tablets of Tricon-P Tramadol (oral), which falls within the 'commercial quantity' were recovered from drug store situated in Corporate Hospital, Amritsar without any valid licence for the same. As it pertains to 'commercial quantity' it attracts Section 37 of the NDPS Act and as such he is not entitled to the concession of bail.

Heard.

As per prosecution version 2000 tablets of Taricon-P Tramadol (oral) packed in a box were recovered from the Corporate Medicos, Indoor Pharmacy, Corporate Hospital, Amritsar, without any valid licence for keeping the same. The license Annexure P2/ Form 20 has been appended with the petition and it contains condition at serial No.5 which prohibit the Corporate Medicos from keeping certain Narcotic Drug, which is reproduced as under:-

5. "Specific condition: Except Pharmacy, Except Tapentadol (Oral) and except Narcotic Drug namely Codeine, Dextropropoxyhene and Diphenoxylate and Psychotropic Substances namely Buprenorphine, Nitrazepam, Pentazocine & Tramadol (Oral), and/ or their salts in the formulations"

Thus it is very clear that Corporate Medicos could not keep Tramadol (oral). The perusal of Annexure P6 dated 19.04.2025 shows that

20 packs of Tramadol were ordered. The invoice dated 21.04.2025 (Annexure P7) pertains to 2000 tablets of Tramadol and not to 200 tablets of Tramadol. The letter dated 27.04.2025 (Annexure P8) regarding returning of 1800 tablets to Ballista Pharmaceuticals was not produced by the firm on the date of seizure to the agency. Moreover, the hospital was running since more than 10 years and earlier Tramadol had not been ordered for patient use and it is not explained that why suddenly it was ordered and purchased, when as per licence they could not keep even 200 tablets of Tramadol.

Thus, the petitioner without any permission to sell, purchase and stock Tramadol (oral) and/ or its salt in the formulations had purchased and stocked 2000 Tramadol tablets without holding a valid license in violation of Sections 8, 22 and 29 of the NDPS Act, 1985.

In the status report submitted by learned State counsel, it has been submitted that as reported to the office of NCB by the Food and Drug Administration, Department of Health and Family Welfare, Punjab vide letter dated 23.07.2025 from Zonal Licensing Authority(Drugs Wing) Food and Drug Administration, Amritsar has cancelled retails sale drug license of M/s Corporate Medicos Inside Corporate Hospital, Amritsar for violation of the terms and conditions of the drugs license as the petitioner purchased and stocked 2000 tramadol tablets without holding a valid license.

Tramadol Schedule H1 drug covered under Drugs and Cosmetics Act, 1940 is also a psychotropic substance which falls within the preview of NDPS Act, 1985.

As already observed, the petitioner in violation of drug license indulged in sale, purchase, stocking of the drug Tramadol and thus

contravened the provisions of NDPS Act. The quantity of Tramadol tablets seized from the possession of the petitioner falls in 'commercial quantity', which attracts rigors of Section 37 of the NDPS Act.

After considering the facts and circumstances in present case but without commenting anything on merits of the case, this Court is not inclined to grant concession of bail to the petitioner and the present petition is dismissed.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

13.11.2025.

Komal

Whether speaking/reasoned?	:	Yes/ No
Whether reportable?	:	Yes/ No