Addl. Sessions Judge
District South East
Saket, New Delhi

FIR No- 0180/2021
PS- Crime Branch
U/Sec. 18/27 DAC Act, 1940
420/274/275/120B/34 IPC
State Vs. Sonu Chaudhary

Through Cisco WebEx Video Conferencing

12.01.2022.

Present : Sh. Naveen Panwar & Aditya Aggarwal, Counsels for accused.
Sh. L.D. Singh, Ld. Addl. PP for the state.
IO through VC.

1. Present application is filed by accused Sonu Chaudhary U/Sec.439 CrPC for grant of bail.

2. FIR in question, revealed that HC Vinod, was doing inquiry regarding sale of spurious drugs for cancer at higher price, being sold by some group of persons, thereby cheating innocent people. During course of said inquiry, he received secret information that one Saddam Hussain, Raza Ansari along with three persons namely Sonu Chaudhary, Afsar Ansari and Javed were going to supply anti-cancer spurious drugs at 7-7:30 am in Jasola. The informant also revealed that those persons were in the process of cheating innocent people by selling said spurious drugs at higher price. Consequently, raid team was constituted and the said raiding party reached the spot. Public persons were asked to join the investigation but they left, citing their excuses/reasons. Consequently, Sonu Chaudhary and Saddam Hussain Raja Ansari, were apprehended on a scooty. It was found that those persons were going to sell spurious medicines to their friends. At that time, third person, at the instance of secret informer, was also apprehended. The name of third person so apprehended was Afsar Ansari. Drug inspector from Drug Control Department, GNCTD also reached the spot on request. From the possession of apprehended persons, police recovered, 141 boxes

of spurious medicines curing cancer (manufactured by a Bangladeshi Pharma Company), one scooty bearing no.DL3SEW-2673 and four mobile phones were recovered. Those persons failed to furnish license for keeping the said drugs, as required by Drugs and Cosmetics Act, 1940 and Rules 1945. No bill/invoice with regard to said spurious drugs was furnished by them. Drug inspectors took out samples from the recovered spurious drugs for examination and expert report. Hence, FIR in question was registered and investigation ensued.

3. Ld. Counsel for accused has argued that charge-sheet in this case has been filed, that there are discrepancies in the charge-sheet, that no independent witness has been examined by the police and offence punishable u/sec. 27 (a) of Drugs & Cosmetics Act, 1940, is not made out. He therefore, prayed for grant of bail.

4. IO concerned filed reply in which, he narrated the facts of this case as mentioned above. Same needs no repetition. Considering the gravity of the matter, IO has opposed the bail application.

5. Ld. Addl. PP for the state has opposed the bail application on the similar lines as stated by IO in his reply.

6. Arguments heard. Record perused.

7. Accused is in custody in this case since 08.09.2021. Charge-sheet in this case has been filed. As per judge made laws, bail is a rule and jail is an exception. No purpose will be served by keeping accused further in custody. Keeping in view the facts and circumstances of this case, accused Sonu Chaudhary is admitted to bail on his furnishing personal bond and surety bond in the sum of Rs. 10,000/- each, subject to the satisfaction of concerned Ld. Duty MM/ South-East/Saket Courts, New Delhi.

The bail is also subjected to following conditions :-

1. Accused will not threaten complainant and other prosecution witnesses.
2. Accused will not tamper with evidence collected by police.
3. Accused will keep his mobile phone in switch on mode till the adjudication of the case and will furnish it in the personal bond. Similarly, surety will also keep his/ her mobile phone in switch on mode till the adjudication of the case.
4. Accused will not leave India without permission of the court. In case, he wants to leave Delhi, he will inform the Investigating Officer in writing, giving details of the place where he is going and the duration for which he is going.

Order dasti.

[PRASHANT SHARMA]
ASJ-02, South-East/Saket/Delhi
12.01.2022

Addl. Sessions Judge
District South East
Saket, New Delhi

ATTESTED

Branch In-charge
South East Courts
District Court Cmpl. New Delhi

13/1/22