



GOVERNMENT OF KARNATAKA
(Drugs control Department)

No. DCD/ADC/BNG -CIR-6/RTI/809/2015-16.

Office of Assistant, Drugs Controller
Bangalore Circle-6,
C/o Drugs Control Department
Palace road, Bangalore.
Dated : 16-11-2015

To,

BY SPEED POST ACK.DUE

Sri Prashanth Reddy.T
Advocate
C/o Lex One Partners E-19, LGF,
Jungpura extension ,
New Delhi-110014
E mail: preddy85@gmail.com

Sir,

Sub: RTI Application pertaining to Court Judgements in criminal cases filed by the karnataka
Drugs Control Department between 2010 and 2015.

- Ref: 1. Your application dated. 7-10-2015 (received on 15-10-2015)
2. Letter of Deputy Drugs Controller Regional office Bangalore bearing no. DC/DDC/
ROB/RTI/1110/2015-16 dated. 15-10-2015.
3. This Office Letter No. DCD/ADC/BNG-CIR-6/819/2015-16 Dt. 31-10-2015.
4. Your Letter Dt. 10-11-2015

With Reference to the above subject I write to inform you that I am here with
enclosing the information sought vide your application Dt. 07-01-2015 i.e copy of judgement
dt.15-12-2012 in the C.C.No. 134/2012 in the case against M's BRD Medilabs,Baddi, H.P for
your information. You are requested to acknowledge the receipt of same .

Your's faithfully,


(T.P.Sujit)

Public Information Officer and
Assistant Drugs Controller-1
Bangalore Circle- 6.

CR No. 28/3
23/1/3

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SS-L.C
DE

RBL.RP-69

GOVERNMENT OF KARNATAKA
ORDER SHEET

Form No.3(Criminal)
Order Sheet
Ch. VIII R.I.(1) 18,20(2)
Ch. VI R.3

IN THE COURT OF THE SPECIAL COURT
(ECONOMIC OFFENCES), BANGALORE.

C.C.NO. 134/ 2012

COMPLAINANT

The Drugs Inspector,
Bangalore Circle-VI,
Bangalore-01.

ACCUSED

A-1. M/s.BRD Medilabs,
Baddi-173205 Dist.Solan-HP.
Rep. by A-2.
A-2 Rajesh Bansal

Date of Order or proceeding	Order or Proceeding Signature of Presiding Officer	Signature of Parties or Pleaders when necessary.
1	2	3
06-11-12	Complaint presented on 06/11/2012 by the complainant against the accused under Sec.200 of Cr.P.C.	
	<p style="text-align: center;">ORDER</p> <p style="text-align: center;">Check & Putup.</p> <p style="text-align: right;">Sd/- P.O. 06/11/2012</p> <p>Perused the record. There are grounds to take cognizance and to issue process against the accused No.1 & 2 for an offence U/s. 18(a)(i) and punishable u/s. 27(d) of Drugs and Cosmetics Act, 1940. Accordingly "<u>cognizance</u>" is taken against Accused No.1 & 2. Register the case against Accused No.1 & 2 and issue summons to Accused No.1 & 2 r/b: 14-12-2012.</p>	

Checked
Sh.

P.O. 6-11-2012

CC NO.134/12

14/12/12

Compt. by D.R.
SS to add material.

~~Accused~~ absent

~~Counsel~~ absent

~~Arrest~~ SS; not returned

~~Counsel~~ Interv. to
~~appear~~ before

Hg: 15-12-2012

14-12-2012

15/12/12

Compt. by D.R.
Arrest SS ret'd.
July Sonuvel.

A-1 Co., A-2 present. Sr.APP
present. Sri. Lingaraju, D.I. present and
identified the accused. Ld. Counsel
Sri.GDR filed appln. U/s. 252 Cr.P.C
alongwith vakalath and affidavit of A-2. It
is submitted that accused intended to
plead guilty voluntarily. The a/c of D.L is
filed in proof of address Ld Counsel
also submits that the summons has
been served and copy of summons has
been furnished. Office order No.HFW-
H(drugs)7/91(VOL-IX) dtd: 17.2.2010 is
furnished. Copies furnished U/s.204 &
207(2) of Cr.P.C.

The admission can be recorded at any stage of the trial is
observed in several decisions 2003(2) Crimes P.141, Hon'ble High
court of Kerala. At this stage EBC dispensed and charged is framed
and explained in the English/Hindi language known to him and
made to understand the ^{accusation} acquisition/complaint allegation
constituting the offence. The accused pleaded guilty voluntary in
the presence of counsel and the same is accepted. Accused is
convicted U/s. 252 and 255(2) of Cr.P.C.

Dt. 15.12.2012

Heard on imposing sentence. A-2 is married and having children and aged mother who is also suffering from old age ailments and has to send huge amount for treatment. He is only male member earning in the family who are depending upon him. It is also submitted that the licence has been suspended for 2 months from 19/02/2012 to 18/04/2010. It is submitted that due to suspension of licence the firm has suffered loss.

It is not spurious or non-standard, adulterated or injurious to health. It is stated that it is only a not of standard quality as per analyst report. Therefore lenient view is taken while imposing sentence as the cause of action is after amendment which came into effect from Aug-2009, Act No.26/2008.

Further it is submitted that there is adequate and special reasons for imposing sentence less than one as prescribed under S.27(d). Further relied upon unreported dictum in Criminal Appeal No.1309/2003, dated: 18.11.03 and stated that the sentence imposed by the Special Court was confirmed in a similar case and Cri.AP. No.103(1979)1 Hon'ble S.C. cases 568. Observation considered.

ORDER

The A-2 is sentence to undergo SI till raising of the court and further directed to pay fine of Rs.20,000/- (Twenty thousand) for the offence U/s.18(a)(i) and p/u/s.27(d) of D & C Act 1940 I/d of payment of fine the accused to undergo S.I. for six months. Case is filed after compliance of order at this stage.

15.12.2012
PRESIDING OFFICER.

15.12.2012
Presiding Officer
(Special Court)

fine Rs.20,000/- collected from A-2 by way of fine under Cr.A No.367231

DD 24
15/12/12
15/12/12

TRC

Accused under 8000