

**IN THE COURT OF YASHWINDER PAUL SINGH, ADDITIONAL  
SESSIONS JUDGE : GURUGRAM.  
[ UID : HR-0491 ]**

Date of Institution : 30.05.2026  
CNR No. : HRGR-01009799-2026  
CIS No. : BA-2573-2026  
Date of Order : 20.06.2026

Mr. Avi Sharma son of Shri Suresh Chand Sharma, P-2403, 4<sup>th</sup> Floor,  
Eldeco Tower, Sector-2, Sohna, District Gurugram.

.....**Petitioner-accused**

Versus

State (Through Drugs Control Officer, Gurugram).

.....**Respondent.**

Case U/s 18(c), 18-A, 17B(d), 17B(e),  
27(b)(ii), 27(d), 27(a), 27(c) Drugs and  
Cosmetics Act,  
DD No.19 dated 19.04.2026.  
Police Station Sector-29, Gurugram.

**APPLICATION FOR REGULAR BAIL  
UNDER SECTION 483 BNSS**

**Argued by :**

Shri Vipin Gupta, Advocate for the petitioner.  
Shri Amandeep Chauhan, Drugs Control Officer, in person.

**ORDER :-**

This order of mine shall dispose of an application for  
regular bail moved under Section 483 of BNSS in the above-mentioned  
FIR.

2. In brief, the story of prosecution is that on 18.04.2026, the  
complainant received a secret information regarding sale of spurious

product i.e. Mounjaro Kwikpen Injection (2.5 mg, 5 mg, 7.5 mg, 10 mg, 12.5 mg and 15 mg) manufactured by Eli Lilly Italia SpA, Via Antonio Gramsci 731/733, Sesto Fiorentino FI 50019 Italy imported by M/s Eli Lilly and company (India) Pvt. Ltd., Gala No.203, Bidg. No.G-3, Second Floor, House No.986, Bhumi World Industrial Park Pimplas, Bhiwandi, Maharashtra (India) – 421302 marketed by Eli Lilly and Company (India) Pvt. Ltd., Plot No.92 Sector-32, Gurugram and which will be stocked somewhere near to Super Mart I, District Gurugram in a Swift Dezire vehicle bearing No.HR-55AU-3582 at around 07:00 PM.

On receiving the said information, a team was constituted comprising, Mr. Amandeep Drugs Control Officer Gurugram, Mr. Mukesh Kumar, Drugs Control Officer Gurugram, ASI Paramvir Police Post Chakkarpur, ASI Tarun Police Station Sector-29 Gurugram, HC Sandeep Police Station Sector-29 and Ct. Pummy Kumar and said team reached the spot at around 06:45 PM. At about 07:25 PM, the suspected vehicle bearing No.HR-55AU-3582 was got stopped and checked. The raiding team found a driver and a passenger in the said car. The driver disclosed his name as Mr. Shahbaz Alam Ansari S/o Nasir Ahmed and the passenger disclosed his name as Mr. Mujammil Khan S/o Munsaf Khan. Videography was done at the spot (around 07:30 PM) regarding the recovery and preliminary enquiry from Mr. Mujammil Khan. Shahbaz Alam further disclosed that he was booked in person from Lal

Quilla by the passenger to drop him at Gurugram. Mujammil Khan, the passenger revealed that he works as a Medical Representative of M/s Hemped Souls International LLP situated at Q-10, Poorvi Marg, DLF City Phase 2, Gurugram and that the product in question recovered at spot belonged to petitioner Avi's Sharma who is currently residing at House No.P-2403, 4<sup>th</sup> Floor, Eldeco Tower, Sector-2, Sohna, Gurugram. Said Avi Sharma was called on the spot and he was asked to produce the valid license to stock, sale, exhibit for sale or distribution of the product in question but the petitioner informed that he was having no license in this name and he was sole responsible for his act. Thereafter, the products were sampled and seized vide Form 17 and Form 17A was also issued. The products were not stored as per the storage conditions mentioned on the label i.e. 2° to 8° C. The total estimated cost of all the products as per MRP on label of Mounjaro Kwikpen Injection (2.5 mg, 5 mg, 7.5 mg, 10 mg, 12.5 mg and 15 mg) sampled at spot was Rs.56,15,847/- (Fifty six lacs fifteen thousand eight hundred forty seven). The petitioner also disclosed that he himself manufactured the product in question from his premises Tower – 1, Flat No.605, 6<sup>th</sup> floor, Pivotal Paradise, Sector-62, Gurugram. The labels of the recovered products were verified with the original ones and it was found mismatched with the label of original product. During investigation, it was found that recovered product is spurious and not manufactured by

the original manufacturer of the product. Therefore, the petitioner was found violating the offences of the Drugs & Cosmetics Act 1940 and thereafter, the petitioner and Mr. Mujammil were arrested for violating the provisions of 18(c) and 17(B) of Drugs and Cosmetics Act 1940.

4. It is contended by ld. counsel for the petitioner that the petitioner is in custody since 19.04.2026. It is submitted that the petitioner has been awarded with 'Bhartiya Excellence Award for Ayurvedice Innovator of the year' and his project Tone Up was only on Experimental Level. It was neither sold in the market, nor was sold in any medicine shop. He is not required for any further investigation. It is further submitted that neither any drug has been recovered from the petitioner nor any recovery is to be effected from the petitioner. The prosecution story itself appears to be filmsy and fake which was started from the statement of a cab driver, from whom the alleged recovery was effected, however, no private witness was joined in the investigation at the time of the alleged recovery from Mujammi. The petitioner himself had appeared on the spot when he received calls from the raiding team. Moreover, the alleged incident is stated to be taken place on 18.04.2026, but no FIR or DDR was registered on that day by the local police. No offence as alleged by the prosecution is committed by the petitioner. Further, that the present case is a complaint case and the complaint has yet not been filed by the prosecution. The trial and decision of the case

shall take a long time. The petitioner is not required for any investigation or inquiry and his presence is not required for any purpose.

It has, thus, been prayed that the petitioner may be admitted to bail.

5. Refuting the prayer made by learned counsel for petitioner, it is submitted by Sh. Amandeep Chauhan, Drugs Control Officer that the allegations against the applicant-accused are grave and serious in nature and are punishable with imprisonment of life. It is also submitted that the role attributed to the accused reflects active involvement in the commission of offence. It is further submitted that petitioner was indulged in heinous crime for manufacturing and selling spurious, adulterated, misbranded drug Mounjaro Kwikpen injection manufactured by company situated at Italy. Not only this he manufactured other drug with brand name of 'Tone UP' without any valid Drugs manufacturing licence which on its label mentioned having been manufactured in Japan. It is contended that the allegations against the petitioner entail imprisonment up to life. It is submitted that the petitioner is the prime accused. It is further submitted that in case, the petitioner is admitted to bail, he may affect the investigation. It is further submitted that the allegations against the petitioner are quite grave. It has, thus, been prayed that bail application of petitioner may be dismissed.

6. I have heard learned counsel for petitioner as well as Sh.

Amandeep Chauhan, Drugs Control Officer and gone through the case file carefully.

7. On secret information, a car was intercepted by the team comprising of Drug Control Officer, Gurugram and police party. The passenger of the car namely Mujammil Khan disclosed the petitioner to be as the source of the Drugs recovered from him. On this, the petitioner was called at the spot and he allegedly admitted the drugs belonging to him. The drugs recovered from the possession of Mujammil Khan was injection Mounjaro Kwikpen allegedly manufactured by company in Italy and imported in India. The MRP on the label of the said Injection was amounting to Rs. 56,158,47/-. On contacting the alleged manufacturing company, it disclosed the drugs to be not belonging to them. The petitioner could not produce any valid licence or the bills for importing the said drugs. Three labels on the drug were found to be fabricated. On search of the residential premises of the petitioner, the labels of the said drugs were recovered. The petitioner also manufactured drug in the name of 'Tone up' by claiming it to be manufactured at Japan. The allegations against the petitioner are quite grave. His act prima-facie appears to be committing fraud with the general public at large and selling of superious, adulterated and misbranded drugs.

9. As sequel to the above, application for regular bail moved

by the petitioner stands dismissed as such.

10. Nothing expressed supra shall be construed as opinion on merits of the case.

11. Copy of order be sent to the petitioners through E-mail of the concerned Jail Superintendent where he is confined.

12. File be consigned to record room after due compliance.

Pronounced in open Court.

Dated: 20.06.2026

Santosh ST-I

(Yashwinder Paul Singh)  
Additional Sessions Judge,  
Gurugram. [ UID : HR0491 ]

**Note:** Certified that this order consists of 7 pages and each page has been checked and signed by me.

(Yashwinder Paul Singh)  
Additional Sessions Judge,  
Gurugram. [ UID : HR0491 ]