

KARNATAKA

HC refuses to quash case against pharma firm

SPECIAL CORRESPONDENT

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The **Karnataka** High Court on Friday declined to quash criminal proceedings against Sanofi India Ltd., a pharmaceutical company, by the Central Bureau of Investigation (CBI) for allegedly cheating the Bhabha Atomic Research Centre (BARC), Mysuru, of ₹3.53 lakh during 2012-15 by conspiring with a scientific officer of the BARC.

Justice P.S. Dinesh Kumar passed the order while dismissing a petition filed by Sanofi India (formerly known as Aventis Pharma), Mumbai, questioning the chargesheet filed by the CBI.

The court rejected the company's claim that it could not have been prosecuted without its directors or persons in charge of the affairs being arraigned as an accused, and held that the chargesheet filed under the provisions of the Indian Penal Code and the Prevention of Corruption Act is maintainable and requires a trial.

The CBI had alleged that main accused, Anand of BARC Mysuru, had received ₹42,750 as illegal gratification from the petitioner company on the pretext of conducting some tests, but the company claimed that the amount was paid as a "honorarium" to Mr. Anand. It was also alleged in the chargesheet that Mr. Anand had illegally favoured the petitioner company by ordering medicines/drugs at a higher rate ignoring other bids received at much lower prices. In once instance, the petitioner company, during 2013-14, got favour from the accused scientific officer for supplying insuline glargine cartridge at a cost of ₹393.01/cartridge as against lowers bids like ₹299/cartridge submitted by other companies.

The court said the trial is necessary as the chargesheet contains the details of bids from other companies for supplying medicines to BARC, Mysuru.

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