

HCJD/C-121  
**ORDER SHEET**

**ISLAMABAD HIGH COURT**  
**ISLAMABAD**

**Crl. Misc. No. 491-B/2011**

**Saif ur Rehman etc. Versus The State**

| S.No. of order<br>/ Proceeding | Date of order/<br>proceeding | Order with signature of Judge, and that of parties or counsel,<br>where necessary. |
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**13-09-2011**

**Raja Rizwan Abbasi Advocate and Anwar ul Haq  
Butt Advocate for petitioner  
Rao Abdul Ghaffar standing counsel  
Shafique S.I. with record.**

Saif ur Rehman and Muhammad Mudassar petitioners have been charged in case FIR No.88/2011, dated 06-08-2011, U/s 3/6 of Food Stuffs (Control) Act, 1958/Pure Food Ordinance, 1960, 420/468/471 PPC, Police Station Neelor, Islamabad.

2- The allegation against the petitioners is that they were found preparing adulterated cold drinks and on the spot gas cylinder, packing machine and other ingredients were recovered from them, hence the present case.

3- The petitioners were refused bail by the learned Duty Judicial Magistrate Sec. 30 vide order dated 16-08-2011 and then by the learned Additional Sessions Judge, Islamabad

vide order dated 22-08-2011, hence the present petition.

4- I have heard learned counsel for the parties and have also perused the record.

5- In the present case, Food Stuff (Control) Act, 1958 is not applicable, whereas Section 23 of the Pure Food Ordinance, 1960 is applicable and the punishment for the offence is one year. No adulterated food was recovered and the recovery of other ingredients would make the case of the petitioners one of further enquiry. In the circumstances, this petition is accepted. Petitioners be released on bail, provided they furnish bail bonds in the sum of Rs.1,00,000/-each with one surety each in the like amount to the satisfaction of learned Trial Court.

**(RIAZ AHMED KHAN)**  
*JUDGE*

*Wajid*