

Velagapudi Sambasiva Rao, vs Food Safety Officer, on 27 December, 2021

Author: Cheekati Manavendranath Roy

Bench: Cheekati Manavendranath Roy

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

CRIMINAL PETITION Nos.885 AND 1196 of 2021

COMMON ORDER:

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These Criminal Petitions under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") are filed seeking quash of charge sheets in C.C.No.468 of 2017 and C.C.No.467 of 2017 on the file of the learned Special Judicial First Class Magistrate Court for Mobile, Guntur.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are A-2 and A-3 in both the aforesaid cases C.C.No.468 of 2017 and C.C.No.467 of 2017 on the file of the learned Special Judicial First Class Magistrate Court for Mobile, Guntur. They are facing prosecution for the offences punishable under Sections 3(1)(zz)(vi)(xi), 26(2)(i) of the Food Safety and Standards Act, 2006 (for short „FSS Act) and under Section 59(i) of the FSS Act.

Learned counsel for the petitioners would submit that this is a covered matter in view of the earlier orders passed by this Court in Criminal Petition Nos.1707 and 1708 of 2019 whereby this Court has quashed the similar charge sheets registered for the similar offences based on identical facts. Therefore, he would submit that the petitioners, who are similarly placed, are entitled for quash of the proceedings initiated against them and thereby prayed to quash the said charge sheets.

Learned Additional Public Prosecutor would fairly concede that these are covered matters in view of the aforesaid earlier orders of this Court and thereby prayed to pass appropriate orders accordingly in these Criminal Petitions also.

Therefore, in view of the aforesaid earlier orders passed by this Court and for the reasons stated therein, these Criminal Petitions are allowed and the aforesaid two charge sheets registered against the petitioners are hereby quashed.

Miscellaneous petitions, if any pending, in the Criminal Petitions, shall stand closed.

----- JUSTICE CHEEKATI
MANAVENDRANATH ROY Date: 27-12-2021 AKN THE HON'BLE SRI JUSTICE CHEEKATI
MANAVENDRANATH ROY CRIMINAL PETITION Nos.885 AND 1196 of 2021 Date: 27-12-2021
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