

The State Of Madhya Pradesh vs M/S Sharma Namkin Sendhwa on 5 January, 2023

Author: Anil Verma

Bench: Anil Verma

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE ANIL VERMA
ON THE 5th OF JANUARY, 2023
MISC. CRIMINAL CASE No. 9769 of 2022

BETWEEN: -

1. THE STATE OF MADHYA PRADESH COLLECTOR /
DISTRICT MAGISTRATE COLLECTORATE
BARWANI THROUGH NYAY NIRYANAK ADHIKARI
UPER COLLECTOR, DISTRICT BARWANI
(MADHYA PRADESH)
2. SHRIMAN KHADYA SURAKSHA AYUKT
KARYALAY KHADYA EVM AUSHDY PRASHASAN
IDGA HILS, BHOPAL (MADHYA PRADESH)
3. ABHIHIT ADHIKARI EVM UP SANCHALAK
KHADYA EVM AUSHDY PRASHASAN MEDICAL
COLLEGE CAMPUS, INDORE (MADHYA PRADESH)
4. SHRI R. G. MAUTA KHADYA SURAKSHA
A D H I K A R I KARYALAY EVM AUSHDY
PR AS HAS AN , DISTRICT BARWANI (MADHYA
PRADESH)

(BY SHRI ANENDRA SINGH PARIHAR - PANEL LAWYER)

AND

1. M/S SHARMA NAMKIN SENDHWA SHRI RAVI
SHARMA S/O GIRVARDAYAL SHARAMA R/O A.B.
ROAD SENDHWA, DISTRICT BARWANI (MADHYA
PRADESH)
2. P R O . SHRI GIRVARDAYAL S/O MUSADDILAL
SHARMA, AGED ABOUT 53 YEARS, OCCUPATION:
BUSINESS SHYAMDAS COLONY, SENDHWA,
DISTRICT BARWANI (MADHYA PRADESH)

This application coming on for admission this day, the

Signature Not Verified
Signed by: TEJPRAKASH
VYAS
Signing time: 06-01-2023
10:44:09

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following:

ORDER

The applicants have filed this leave to appeal under Section 378(3) of Code of Criminal Procedure being aggrieved by the impugned order dated 18/11/2021 passed by Food Safety Appellate Tribunal, Barwani by which the Tribunal has acquitted the respondents and reversed the judgment of conviction passed by Additional Collector, Barwani by which fine of Rs.1,00,000/- under Section under Section 52 of Food Safety and Standards Act, 2006 has been imposed upon respondents.

After hearing learned counsel for the applicants and from perusal of the impugned order as well as record of the trial Court, the criminal appeal appears to be maintainable. Therefore, instant leave to appeal is allowed and Registry is directed to register the appeal as regular Criminal Appeal.

Let notice be issued to the respondents on payment of process fee within 07 working days. Notices be made returnable within eight weeks.

Certified copy as per rules.

(ANIL VERMA) JUDGE Akanksha