

Sujit Kumar Sao vs The State Of Jharkhand Opposite ... on 7 July, 2021

Author: Sanjay Kumar Dwivedi

Bench: Sanjay Kumar Dwivedi

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 700 of 2021

1.Sujit Kumar Sao

2.Ranjeet Kumar Petitioners Versus The State of Jharkhand Opposite Party CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI For the Petitioners : Mr. Nilesh Kumar, Advocate For the State : Mr. Prabhu Dayal Agrawal, A.P.P. 03/07.07.2021 This petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic.

Mr. Nilesh Kumar, learned counsel for the petitioners undertakes to remove the defects within two weeks.

Mr. Nilesh Kumar, learned counsel for the petitioners submits that Food Safety and Standard Act, 2006 is special Act and unnecessarily sections of Indian Penal Code have been lodged. According to him it is well-settled law that if Special Act is there, cognizance cannot be taken under sections of Indian Penal Code. He submits that procedure laid down under section 42 of the Act has not been followed.

Mr. Prabhu Dayal Agrawal, learned counsel for the State shall take instruction and file counter-affidavit within four weeks.

Post the matter on 05.10.2021.

Till then further proceeding in connection with Sukhdeonagar (Pandra O.P.) P.S. Case No. 481 of 2020 pending in the Court of learned Judicial Magistrate, Ist Class, Ranchi, shall remain stayed.

(Sanjay Kumar Dwivedi, J.) Satyarthi/-