

# Dilip Sahu vs The State Of Madhya Pradesh on 6 February, 2024

**Author: Sudhanshu Dhulia**

**Bench: Sudhanshu Dhulia**

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2024  
(@ SPECIAL LEAVE PETITION (CRL.) NO(S).10020/2018

DILIP SAHU

APPEL

VERSUS

THE STATE OF MADHYA PRADESH & ANR.

RESPON

O R D E R

Leave granted.

2. The present appellant before this Court is facing inter alia criminal proceedings under the provisions of the Food Safety and Standards Act, 2006. Section 77 grants one year's time, within which period a cognizance has to be taken.

However, the Commissioner of Food Safety has got powers to extend upto the period of three years. In the present case, the cognizance was taken beyond the period of one year by the concerned authority. The permission was sought by the Designated Officer specifically saying that the period be extended and permission be granted in public interest on which such a permission has been granted by the authority after perusal of the records.

3. Considering the provisions of law where time could be extended beyond a period of one year, the High Court refused to interfere with this matter considering the matter was in public interest. We agree with the reasoning given by the High Court.

We find no scope here to interfere with the reasoning given by the High Court.

4. The Appeal is accordingly dismissed.

5. Pending application(s), if any, shall stand disposed of.

.....J. [SUDHANSHU DHULIA]  
.....J. [PRASANNA BHALACHANDRA VARALE]  
NEW DELHI;

FEBRUARY 6, 2024

ITEM NO.60

COURT NO.16

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.)NO.10020/2018 (Arising out of impugned final judgment and order dated 29-08- 2018 in MCRC No. 1155/2017 passed by the High Court Of M.P Principal Seat At Jabalpur) DILIP SAHU Petitioner(s) VERSUS THE STATE OF MADHYA PRADESH & ANR. Respondent(s) (IA No. 167322/2018 - EXEMPTION FROM FILING O.T., IA No. 172068/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ANNEXURES, IA No. 19093/2019 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS) Date : 06-02-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE For Petitioner(s) Mr. S.K. Gangele, Sr. Adv.

Ms. Priya Sharma, Adv.

Mr. Prathvi Ray Chauhan, Adv.

Mr. Anil Kumar Gautam, AOR For Respondent(s) Mr. Pashupathi Nath Razdan, AOR Ms. Vijaya Singh, Adv.

Ms. Maitreyee Jagat Joshi, Adv.

Mr. Astik Gupta, Adv.

Ms. Akanksha Tomar, Adv.

Mr. Argha Roy, Adv.

Ms. Ojaswini Gupta, Adv.

Mr. Rahul Kaushik, AOR UPON hearing the counsel the Court made the following O R D E R Leave granted.

The Appeal stands dismissed in terms of the signed order which is placed on the file.

Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA) (RENU BALA GAMBHIR) COURT MASTER (SH) COURT MASTER (NSH)