

Sumit Mahajan Alias Sumit Kumar Gupta vs Union Territory Of Jammu And Kashmir & on 22 May, 2023

Sr. No. 11

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CRM(M) No.451/2023
CrIM No.835/2023

Sumit Mahajan alias Sumit Kumar Gupta

....Petitioner(s)/Appellant(s)

Through :- Mr. Rohit Kohli, Advocate.

V/s

Union Territory of Jammu and Kashmir &
Ors.

....Respondent(s)

Through :-

Coram: HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE
ORDER

22.05.2023 The petitioners through the medium of this petition under Section 482 Cr.P.C seek quashment of complaint No.1157/2021 titled UT of Jammu and Kashmir vs. Mudassir Hussain & Anr., for the commission of offence punishable under Section 26(2)(i) & (ii) read with Section 52 and 59 of Food Safety and Standards Act, 2006 and order dated 24.11.2021 whereby the Court of learned Chief Judicial Magistrate, Doda has taken cognizance and process has been initiated against the petitioner.

The challenge has been thrown by the petitioner mainly on the two grounds; that the petitioner is neither the proprietor of the firm M/s Mulkh Raj and Sons; and that there is no proof with regard to the supply of the material from petitioner, from which sample had been purchased. The manufacturer has also not been arrayed as party.

Heard.

Issue notice to the respondents, returnable within four weeks. Requisite steps to effect service upon the respondents be taken within one week.

List on 14.07.2023.

Meanwhile, subject to objections from the other side and till next date before the Bench, the proceedings in the complaint are stayed.

) (MA CHOWDHARY)
JUDGE

Jammu:
22.05.2023
Surinder