

Hindustan Coca-Cola Beverages Pvt Ltd vs State Of Madhya Pradesh on 11 December, 2023

Bench: Hrishikesh Roy, Sanjay Karol

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ITEM NO.30

COURT NO.7

SEC

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I

Petition(s) for Special Leave to Appeal (Crl.)

No(s)

(Arising out of impugned final judgment and order dated 20-10-2023
in MCRC No. 36435/2019 passed by the High Court Of M.P At Indore)

HINDUSTAN COCA-COLA BEVERAGES PVT LTD & ANR.

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VERSUS

STATE OF MADHYA PRADESH

Re

(IA No.253468/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.253469/2023-EXEMPTION FROM FILING O.T. and IA
No.253467/2023-PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS and
IA No.253463/2023-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 11-12-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Siddharth Aggarwal, Sr. Adv.
Mr. Manu Nair, Adv.
Ms. Smarika Singh, Adv.
Mr. Saifur Rahman Faridi, Adv.
Mr. Neelabh Shreesh, Adv.
Ms. Tanya Gupta, Adv.
Mr. Aman Goyal, Adv.
Mr. S. S. Shroff, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Heard Mr. Mukul Rohatgi, learned Senior Counsel for the petitioner(s).

2. 17:18:51 IST Reason: The counsel raises various contentions with regard to the qualification of the Officer who has analyzed the sample as also non-adherence to the relevant provisions under Food Safety and Standards Act 2006 relating to non accreditation of the concerned Laboratory. Other legal contentions are also raised by the learned senior counsel to justify quashing.

3. The challenge here is to the rejection of the quashment petition by the High Court with the observation that the contentions raised by the petitioners are to be appreciated in course of Trial. The High Court's view appears to be in order. The Special Leave Petition is accordingly dismissed.

4. This dismissal order will not prejudice the petitioners from raising all legal questions in future legal process.

5. Pending application(s), if any, stand closed.

[DEEPAK JOSHI]
COURT MASTER

[KAMLESH RAWAT]
ASSISTANT REGISTRAR