

Karam Chand Katana vs Ut Of J & K on 30 January, 2023

Sr.No. 21

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CRM (M) No. 73/2023
CrIM Nos. 99 & 98 of 2023

Karam Chand Katana

....Petitioner/Appellant(

Through :- Mr. Gagan Kohli, Advocate

V/s

UT of J & K

....Respondent(s)

Through :-

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

30.01.2023 Petitioner through the medium of this petition under Section 482 Cr.P.C seeks quashment/setting aside of the order dated 24.08.2022 passed by learned Judicial Magistrate 1st Class, Katra, whereby cognizance has been taken against the petitioner in a complaint titled "UT of J & K vs. Varun Gandotra & Ors." for the commission of offences punishable under Sections 26 (2) (i) (ii) r/w Section 59 (i) & 51 of the Food Safety and Standard Act 2006 on the ground that the cognizance has been taken unmindful of the proviso contained under Section 77 of the Act providing for time limitation for prosecution.

Learned counsel for the petitioner submits that the court has taken cognizance of offence under the Act after the expiry of period of one year and the Commissioner of Food Safety has also not accorded permission for prosecution within the extended period, for the reasons to be recorded.

Heard.

Issue notice, returnable within four weeks upon taking requisite steps within one week.

List on 27.03.2023.

Meanwhile, subject to objections from the opposite side, further proceedings in the matter are stayed.

(MA Chowdhary) Judge Jammu:

30.01.2023 Manan