

# Lalit Kevalchand Surana And Another vs The State Of Maharashtra And Another on 5 August, 2024

40-appln-2748-2024.odt

(1)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2748 OF 2024

Lalit Kevalchand Surana And Another

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicants : Mr. Suryawanshi Surendra V.

APP for Respondent/State : Mr. S.B. Pulkundwar

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 05, 2024 PER COURT:-

1. Heard learned counsel for the applicants.
2. Issue notice to the respondents.
3. Learned APP waives service of notice for the State. Time granted to take the instructions.
4. The contention of the applicant is that on the same cause of action and for the same acts, the State has registered a crime.

However subsequently, the Food Inspector filed a complaint under the Food Safety and Standards Act, 2006. Since there are two proceedings for the same wrongs, the complaint pending before the learned Judicial Magistrate First Class is liable to be quashed.

5. The question is could there be two proceedings for the same offence under two different Acts ?

6. Hence, the proceeding pending before the learned Judicial Magistrate First Class, Chalisgaon, District Jalgaon passed in R.C.C. No.24/2020 is stayed till the next date.

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7. Stand over to 29.08.2024.

(S.G. MEHARE, J.) Mujaheed//