

Rakesh Garg vs The State Of Madhya Pradesh on 17 November, 2021

Author: Rajendra Kumar Verma

Bench: Rajendra Kumar Verma

The High Court of Madhya Pradesh : Bench at Indore M.Cr.C. No.56137/2021 (Rakesh Garg Vs. State of M.P.) Indore:17.11.2021 Shri Vinayak Balchandani, learned counsel for the applicant.

Ms. Archana Maheshwari, learned Public Prosecutor for the non-applicant/State.

Heard. Perused the case diary.

This is first bail application under Section 438 of Cr.P.C. for grant of anticipatory bail. Applicant is apprehending his arrest in connection with Crime No.1066/2021 registered at Police Station-Khajrana, District Indore (M.P.) for the offence punishable under Sections 269 and 420 of IPC.

Apart from Section 420 of IPC, Section 269 of IPC is bailable in nature. Under Section 420 of IPC there is no minimum punishment and it is compoundable in nature.

As per prosecution story, the applicant was found to be involved in preparing the sweets from edible item in unhygienic place. On the ground of suspicion that food material are substandard, the applicant has been arrested and a case has been registered against him.

Learned counsel for applicant submits that firstly, no person has made allegation that he/she has been cheated, therefore provision of section 420 IPC is not attracted and secondly, except Section 420 of IPC, all the aforementioned offences are bailable in nature. He further submits that offence involves the provisions of Food Safety and Standards Act, 2006.

Learned counsel for State opposes the bail application. I have heard the parties and perused the case diary. In view of the submissions made, case is made out for grant of anticipatory bail, however without expressing any opinion on merits of the case, it is directed that in the event of The High Court of Madhya Pradesh : Bench at Indore (Rakesh Garg Vs. State of M.P.) the arrest of the applicant, applicant be released on bail upon his furnishing a personal bond to the tune of Rs.50,000/- with one solvent surety in the like amount to the satisfaction of the concerned Arresting Officer/IO. He shall further abide by the other conditions as enumerated in sub-section (2) of Section 438 of Cr.P.C.

C.c. as per rules.

(Rajendra Kumar (Verma)) Judge pn PREETHA DN: c=IN, o=HIGH COURT OF MADHYA PRADESH BENCH INDORE, ou=JUDICIAL, postalCode=452001, st=Madhya Pradesh, 2.5.4.20=5431da3716f911ecd1cb3fc6dc91ea2cacec6025 9cb241b9ad42416f404bb303, NAIR pseudonym = B E A 9 A 0 2 9 3 6 0 D B E 0 2 F D C 8 6 E 8 5 5 7 A 5 1 9 B 7 0 B 3 5 E 1 A 7 , serialNumber = o E C 5 B E 0 8 8 9 5 B A 1 7 A 6 0 7 4 2 3 9 F 7 5 3 A 3 8 D E 8 188C5E65085178B87CD8C85BA5B87CC, cn=PREETHA NAIR Date: 2021.11.18 10:41:01 +05'30'