

# Balaji Fast Food And Sweats vs State Of U.P. And Another on 14 July, 2021

**Author: Rajiv Gupta**

**Bench: Rajiv Gupta**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 80

Case :- APPLICATION U/S 482 No. - 10475 of 2021

Applicant :- Balaji Fast Food And Sweats

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Sudhakar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

This application under Section 482 CrPC has been filed with the prayer to quash the summoning order dated 09.12.2020 as well as entire criminal proceedings of Case No. 4571 of 2020 (State Vs. Shiv Prasad Gupta), under Section 46(4) of Food Safety and Standards Act, Police Station Sadar Bazar, District Shahjahanpur, pending in the court of Additional Chief Judicial Magistrate 1st, Shahjahanpur.

At the very outset, learned counsel for the applicant has submitted that he does not want to press other prayers made in the prayer clause and has only made a prayer for expeditious disposal of his bail application in view of law laid down in the case of Amrawati and another Vs. State of U.P. reported in 2004 (57) ALR 290 as well as judgement passed by Hon'ble Apex Court reported in

2009 (3) ADJ 322 (SC) Lal Kamlendra Pratap Singh Vs. State of U.P. Considering the prayer of the applicant, it is directed that if the applicant appears/ surrenders before the court below and applies for bail within three weeks from today, his prayer for bail shall be considered and decided as expeditiously as possible in accordance with law.

For a period of three weeks from today or till the applicant appears/ surrenders and applies for bail, whichever is earlier, no coercive action shall be taken against him. However, in case, the applicant does not appear before the court below within the aforesaid period, coercive action shall be taken against him.

With the aforesaid observations, this application under Section 482 CrPC is finally disposed of.

Order Date :- 14.7.2021 Nadim