

Chhathilal Gupta vs The State Of Madhya Pradesh on 9 June, 2021

Author: Vishal Dhagat

Bench: Vishal Dhagat

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The High Court Of Madhya Pradesh
MCRC-22692-2021
(CHHATHILAL GUPTA Vs THE STATE OF MADHYA PRADESH)

Jabalpur, Dated : 09-06-2021
Heard through Video Conferencing.

Shri Manish Datt, learned Senior Counsel with Shri Mayank Sh
learned counsel for the applicant.
Ms. Sanjana Sahni, learned Panel Lawyer for the respondent/S

This is first application under Section 439 of the Code of Criminal Procedure on behalf of the applicant, who is in jail since 06.04.2021 in connection with Crime No.105/2021 registered at Police Station- Vijay Nagar, District- Jabalpur (MP) for the offence under Sections 420 and 272 of Indian Penal Code and Sections 51, 52 and 58 of Food Safety and Standards Act.

Learned Senior Counsel appearing for the applicant submitted that no offence under Section 420 of Indian Penal Code is made out against the applicant. It is further submitted that applicant was found in possession of ghee which was said to be adulterated. On being found in possession of ghee, no offence under Section 420 of IPC will be made out against the applicant. It is also submitted that no jail sentence has been prescribed for offence under Sections 51, 52 and 58 of Food Safety and Standards Act and only fine is prescribed for the same. On aforesaid grounds, learned Senior Counsel prayed for grant of bail to the applicant.

Learned Panel Lawyer appearing for the State opposed the bail application.

Heard the counsel for the parties.

Considering the facts and circumstances of the case, without commenting on the merits of the case, bail application stands allowed.

It is directed that the applicant shall be released on bail on his furnishing personal bond of Rs.50,000/- (Rs. Fifty Thousand only) with solvent surety in the like amount to the satisfaction of the trial court on Signature Not SAN Verified condition of depositing of Rs.1,00,000/- before the trial Court.

2 MCRC-22692-2021 The applicant shall abide by the conditions enumerated under Section 437(3) of Cr. P. C. C.C as per rules.

(VISHAL DHAGAT
JUDGE

vkt

Signature
SAN Not
Verified