

Pepsico India Sales Private Limited ... vs The Union Territory Of Chandigarh on 8 November, 2024

Author: Abhay S. Oka

Bench: Abhay S. Oka

CRL. A. NO.4510 OF 20

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.4510 OF 2024
(ARISING OUT OF SPECIAL LEAVE PETITION (CRL.) NO.10280/2024)

PEPSICO INDIA SALES PRIVATE LIMITED
FORMERLY M/S ARADHANA DRINKS AND
BEVERAGES PRIVATE LIMITED) & ANR.

APPELLANT(S)

VERSUS

THE UNION TERRITORY OF CHANDIGARH

& ANR.

RESPONDENT(S)

WITH

CRIMINAL APPEAL NO.4511 OF 2024
(ARISING OUT OF SPECIAL LEAVE PETITION (CRL.) NO. 10306/2024)

O R D E R

1. Leave granted.

2. Heard learned counsel appearing for the parties.

3. The respondents have filed a counter affidavit in which they have stated that if maximum penalty of Rs.3,00,000/-

payable in terms of Section 52(1) of the Food Safety and Standards Act, 2006 is paid by the appellant, respondents will have no objection for quashing the complaints subject matter of the appeals.

4. Learned counsel appearing for the appellants states that the appellants will pay the penalty amount of Rs.3,00,000/-

each in these two cases.

It is an admitted position that the 12:14:28 IST Reason:

CRL. A. NO.4510 OF 2024 etc. respondents have applied in the pending complaints for compounding.

5. Hence, we pass following order:

6. The complaints subject matter of these two appeals, being Complaint Case Nos.315 of 2004 and 316 of 2004 pending before the Chief Judicial Magistrate, Chandigarh, shall stand quashed subject to the appellant depositing a sum of Rs.3,00,000/- in each case with the adjudicating officer within a period of six weeks from today.

7. We make it clear that the complaints will stand quashed only subject to compliance with the requirement of deposit within the stipulated time.

8. The Appeals are allowed on above terms.

9. Pending application(s), if any, shall stand disposed of.

.....J. (ABHAY S.OKA)J. (AUGUSTINE GEORGE MASIH) NEW DELHI;

NOVEMBER 08, 2024.

CRL. A. NO.4510 OF 2024 etc.

ITEM NO.51

COURT NO.6

SECTION II-B

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition for Special Leave to Appeal (Crl.)

No. 10280/2024

(Arising out of impugned final judgment and order dated 29- 04-2024 in CRM-M No. 11797/2010 passed by the High Court Of Punjab & Haryana At Chandigarh) PEPSICO INDIA SALES PRIVATE LIMITED (FORMERLY M/S ARADHANA DRINKS AND BEVERAGES PRIVATE LIMITED) & ANR. Petitioner(s) VERSUS THE UNION TERRITORY OF CHANDIGARH & ANR. Respondent(s)
(I A N o . 1 6 8 0 4 4 / 2 0 2 4 - P E R M I S S I O N T O F I L E A D D I T I O N A L

DOCUMENTS/FACTS/ANNEXURES, IA No. 233689/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 169945/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 169132/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES) WITH SLP(Crl) No. 10311/2024 (II-B) (IA No. 168440/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 233688/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES) SLP(Crl) No. 10306/2024 (II-B) IA No. 168357/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 233524/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 169939/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No. 168982/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES) Date : 08-11-2024 These matters were called on for hearing today.

CRL. A. NO.4510 OF 2024 etc. CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH For Petitioner(s) Mr. Rajesh Batra, Adv.

Mr. Dheeraj Nair, AOR Ms. Anjali Anchayil, Adv.

Ms. Suparba Chattaraj, Adv. Mr. Rohit Chandra, Adv.

For Respondent(s) Mr. Kanu Agrawal, Adv.

Mr. Bhuvan Kapoor, Adv.

Mr. Varun Chugh, Adv.

Mr. Shreekant Neelappa Terdal, AOR UPON hearing the counsel the Court made the following O R D E R Issue fresh notice to the respondents returnable on 16th December, 2024.

Liberty is given to serve learned Standing Counsel appearing for the respondent – State. SLP (Crl.) No.10280/2024 & SLP (Crl.) No.10306/2024 Leave granted.

The Appeals are allowed in terms of the signed order. Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)

[Signed order is placed on the file]