

**16 Bail Matters 460/2026**  
**STATE Vs. AYAZ AHMED**  
**FIR No. 11/2024 (Crime Branch-N.W.Delhi)**  
**u/s 201/202/273/417/420/467/468/471/120B IPC**

**13.03.2026**

Present: Sh. Gyanendra Mishra, Ld. Addl.PP for State.  
Sh. Mohd. Arif, Ld. Counsel for accused/applicant.  
IO SI Hitesh Bhardwaj in person.

1. This is an application u/s.483 BNSS moved on behalf of the applicant / accused **Ayaz Ahmed** s/o Mahemood Husain Momin for grant of regular bail. It is submitted that this is the first bail application in the Sessions court.
2. TCR received.
3. Reply has been filed on behalf of the IO. Same is taken on record. Copy supplied. The previous involvement report of the applicant has been filed as per which he is first time offender.
4. Ld. Counsel for the accused submits that the accused has been falsely implicated in this case and is in JC for long. It is submitted that the applicant was arrested on the basis of disclosure statement of the co-accused Atul Jalan. It is also submitted that accused is in the business of cattle feed supply and he had supplied cattle feed to co-accused Atul Jalan vide invoice and e-way bill no. 19.09.2023. It is submitted that the chargesheet has been filed and no purpose would be served in keeping the accused/applicant behind the bars. It is submitted that the applicant shall abide by all the conditions, if he be granted bail.
5. Ld. Addl. PP for the state opposes the bail application by submitting that the allegations against the applicant are serious in nature. Ld. Addl. PP for the state submits that

the present case was registered on the directions of Hon'ble High Court of Delhi and the offence in question is too grave since expired edible items were sent in the market for consumption by changing the date of expiry. It is submitted that the level of gravity in the allegations is far deep than presented by Ld. Counsel for accused/applicant since these kind of offences have far deep consequences.

6. I have heard rival submissions and carefully perused the record.
7. The Hershey Chocolate company had filed a civil suit vide No. 780/23 before Hon'ble High Court of Delhi seeking injunction against the company run by the co-accused Atul Jalan, where he was selling expired chocolates by repacking the same. The Hon'ble High Court of Delhi vide order dated 30.10.2023 passed a detailed interim order and appointed local commissioners for seizure of all expired products and also instructed two officials from Food Safety and Standard Authority of India to conduct a thorough inspection and testing of all the products being sold by Atul Jalan. On 03.11.2023, a joint raid was conducted and four premises of Akshat Online Traders were sealed and samples were picked.
8. The food lab report as submitted by FSO, Department of Food Safety, North West stated that sample is misbranded because there is a violation of regulation no. 5.10 (a) Food Safety and Standards (Packing and Labeling) Regulation, 2020 since the label was found without declaration of expiry date/use by date.
9. There is another report of FSO, Department of Food Safety as per which the samples were found misbranded because

there is violation of regulation No. 5.2(g)(i)7(a) of the Food Safety and Standards (Packing and Labeling) Regulation, 2020 since the label was without declaration/absence of percentage of ingredients by weight or volume and FSSAI logo.

10. During the course of the investigation one invoice no.107 dated 19.09.2023 purportedly issued by AF Enterprises, Bhivandi containing purchase details of chocolate were found forged since this invoice was infact issued to M/s Jaiswal Traders dated 18.09.2023. The Hersheys company reported that the seized products bears tampered labels.
11. During the course of the investigation it was revealed that the applicant received more than 7 lakhs from Akshat Online Traders through bank account. The applicant Ayaz Ahmed revealed that he purchased expired chocolate without bill from from one official of Urban Retail Pvt. Ltd. Mumbai on throw away prices and sold the same to Akshat Online Traders vide e-way bill no. 281649110398 dated 19.09.2023 for Rs.3,49,500/- by falsely declaring the goods as cattle feeds and cosmetic items.
12. The clear role of the applicant in procuring expired chocolates illegally and supplying the same to co-accused Atul Jalan who tampered with the labels by deleting the relevant expiry dates and put those chocolates in the market for the consumption.
13. The facts reveals that it is because of kind intervention of Hon'ble High Court of Delhi the big gang operating in selling expired food items got exposed. It is also reported that the matter is still pending before the Hon'ble High Court of Delhi.

14. The gravity in the allegations lies in the fact the applicant alongwith his associates for some profit exposed many children, who are the primary consumer of chocolates, to health hazards. The magnitude of possible medical emergency which could have been there by the misdeeds of the applicant and his associates is even beyond imagination.
15. The health of an individual is of primary importance. If a person consumes expired food items by purchasing the same bona-fidely considering the same to be fit for consumption being a product of a reputed company then this loss cannot be computed in terms of money. It is on record that toxic material was being used to erase the correct particulars from the chocolates. This further adds tons to the gravity of the offence.
16. Considering the modus operandi adopted and the fact that numerous persons were exposed to the expired chocolates and many would have been exposed further without the kind intervention of Hon'ble High Court of Delhi, this is certainly a very serious issue in which no liberty can be granted to the applicant at this stage, when the charges are still not framed by Ld. Trial court.
17. It is also on record that the food safety officers were not even cooperated by police officials of police station Keshav Puram at the time of raid. In these circumstances, it would not be appropriate to release the accused persons on bail without the testimony of food safety officers cited in the list of witnesses recorded and accordingly, **the present application is hereby dismissed.**
18. It is clarified that nothing mentioned hereinabove shall

tantamount to expression of opinion on merits of this case.

19. TCR be sent back.

20. Copy of this order be given to Ld. Counsel for the accused.

Copy be also sent to accused through Superintendent of jail concerned as well as IO/SHO concerned for information through Bail Section.

**(KAPIL KUMAR)**

**ASJ (Spl. FTC) : North-West  
Rohini Courts / Delhi /13.03.2026**