

ORDER

The complainant has filed the complaint under section 223 of the BNSS alleging that the accused Nos.1 and 2 committed the offence punishable under section 59 of the Food Safety and Standards Act, 2006.

The complainant is a Public Servant. Hence, recording of sworn statement is dispensed with under section 223(1)(a) of BNSS.

Perused the complaint and material documents placed on record discloses the accused No.1 being the proprietor of Akshaya Foods and accused No.2 being the Manager of Kaggis Cakes and Cookies are found to have contravened provisions of the FSSA Act.

The allegation made in the complaint and the documents placed along with the complaint, on perusing the same, this court is of the opinion that, the complainant has made out a prima-facie case to take the cognizance of offence, since the materials placed on record discloses that, at this stage of proceedings, the accused Nos.1 and 2, have been involved in selling of **Mixture** which was declared to be unsafe for human consumption, consequently, have committed the offence punishable under section 59(i) of the Food Safety and Standards Act, 2006. Having regard to the fact as to the complaint is based on the sample being drawn by the complainant voluntarily, as there is no any allegation of non-

grievous and grievous injury so also the death in the complaint.
Hence, this court proceeds to pass the following:

ORDER

Cognizance is taken under section 210(1) (a) of BNSS., of the offence punishable under Section 59(i) of the Food Safety and Standards Act against accused Nos.1 & 2.

The office is to register the case against the accused Nos.1& 2 in Register-III, by closing the instant PCR in the concerned Register.

In the case on hand accused persons have submitted no objections to dispense with issuance of notice u/sec.223(1) of BNSS pursuant to themselves having tendered before this court.

Call on for appearance of accused Nos.1 and 2 : 24-09-2026.

PRESIDING OFFICER.