



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 526 of 2025

1 - Hindustan Unilever Limited, Central Branch Through Its Legal Consultant, 1st Floor, Titanium Tower, Shalimar Park, Vibhuti Khand, Gomti Nagar, Lucknow- 226010 (U.P.)

2 - Regional Manager Hindustan Unilever Limited, Kolkata, Regional Office Brook House 9, Shakespeare Sarani, Kolkata, 700071

... Petitioners

versus

1 - Roshan Verma Food Safety Officer, Food And Drug Administration, District Bemetara(C.G.)

2 - Commissioner Of Food Safety Food And Drug Administration, Atal Nagar, Nava Raipur, District, Raipur(C.G.)

3 - State Of Chhattisgarh Through Food Safety Officer, Food And Drug Administration, District Bemetara (C.G.)

... Respondents

12.02.2025	Mr. Sunil Pillai, Counsel for the Petitioner. Ms. Pragya Shrivastava, Deputy Govt. Advocate for the State. Heard on admission as well as on IA No. 01/2025, an application seeking permission to prosecute the case in the name of Hindustan Unilever limited, Central Branch, through its legal consultant, 1st Floor, Titanium Tower, Shalimar Park, Vibhuti Khand, Gomti Nagar, Lucknow 226010 (U.P.) and Regional Manager, Hindustan Unilever limited, Kolkata, Regional Office Brook House 9, Shakespeare Sarani, Kolkata,
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	700071. On due consideration and for the reasons assigned therein, I am inclined to allow the same. Accordingly, IA No. 01/2025 stands allowed. Admit. Also heard on IA No.. 02/2025, application for grant of stay/interim relief. Learned counsel for the petitioner contended that Section 77 of the Food Safety and Standards Act, 2006 which provides that no court shall take cognizance of an offence under this Act after the expiry of the period of one year from the date of commission of an offence. Provided that the Commissioner of Food Safety may, for reasons to be recorded in writing, approve prosecution within an extended period of upto three years. Meaning thereby this section provides that no court shall take any cognizance of an offence after expiry of the period of one year from the date of commission of the offence unless the Commissioner of Food and Safety for reasons to be recorded in writing approve prosecution within an extended period of three years. He further contended that in this case, the offence was committed was on 26th of May, 2016 and the complaint case was filed before the Magistrate on 24th of May, 2019. Order sheet of the trial court shows that he has not taken cognizance against the petitioner on that day and the case is fixed for appearance on 17.07.2019 which is beyond the period of three years. Hence, the learned trial court has committed illegality in following the provisions of Section 77 of the Food Safety and Standards Act, 2006 and also violated the Section 202 of the Criminal Procedure Code. Therefore, he pleads to stay the further proceedings in complaint case no. 810 of 2019 pending before the learned JMFC, Bemetara in the interest of justice. Per contra, learned counsel for the State opposes the prayer made by the learned counsel for the petitioner. I have heard learned counsel for both the respective parties
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and perused the impugned orders with utmost circumspection.

On bare perusal of the documents placed on record and looking to the facts and circumstances of the case and submission made by the counsel for the parties, purely as an interim measure, it is directed that the further proceeding of the complaint case no. 810 of 2019 pending before the learned JMFC, Bemetara (C.G.) shall remain stayed, till the next date of hearing only.

Meanwhile, issue notice to respondent no. 1 on payment of process fee through ordinary and registered mode, within seven days from today.

List this case for hearing immediately after service upon the respondent no. 1. .

sd/-

Arvind Kumar Verma

(Judge)