

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 20569 of 2026**

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JANAKBHAI NATHALAL BHAVSAR
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR AB GATESHANIYA(3766) for the Applicant(s) No. 1
MS KRINA CALLA, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 07/09/2026

ORDER

The impugned FIR has been lodged against the applicant for the offences punishable under Sections 274, 275, 318(4), 61(2), 3(5) of the BNS, 2023. As per the case of prosecution, the applicant herein was found manufacturing an adulterated Ghee at the time of raid and thus, the present FIR has been lodged against the applicant. Learned Advocate appearing for the applicant has drawn the attention of this Court to the provisions of Section 89 of the Food Safety and Standards Act, 2006 which provide for overriding effect of the Act over other laws. He has also brought the judgment of the Hon'ble Apex Court in case of Sushil Kumar Gupta Versus State of West Bengal to the notice of this Court.

Having regard to the same, issue Notice returnable on 5.1.2027.

In the meantime, there shall be Ad-interim relief in terms of Para 19C till the next date of hearing.

Direct service is permitted.

Manshi

(M. R. MENGDEY,J)