



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2814 of 2025

Gopal Gupta

.....

Petitioner

Represented by Adv. -
Bigyan Kumar Sharma,
Sr. Adv.

-versus-

State Of Odisha

.....

Opp. Party

Represented by Adv. -
S.K. Parthi, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
15.12.2025

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard Sri B.K. Sharma, learned Senior Counsel for the Petitioner as well as learned counsel for the State. Perused the application as well as the prayer made therein.
3. By filing the application under Section 528 of the BNSS, the Petitioner seeks quashing of the entire criminal proceeding in S.T Case No.267 of 2023 now pending in the file of learned Additional Sessions Judge, Cuttack. He also challenges order dated 07.05.2025 passed in the abovenoted case thereby rejecting the discharge application of the Petitioner.
4. Learned Senior Counsel appearing for the Petitioner at the outset contended that the report of the office of the Deputy Director-cum-Food Analyst at Annexure-5 reveals that after testing



of the sample, it was found that the Refined Sunflower Oil confirmed to the prescribed standard under the FSSA Act, 2006. He further contended that the Petitioner does not want manufacture the sunflower oil and that he only collects the sunflower oil and after packing, he sales the product. In such view of the matter, the learned Senior Counsel for the Petitioner contended that at best the alleged occurrence can be a case for violation of the trademark not under the sections alleged in the F.I.R.

5. Considering the aforesaid submission, this Court is of the view that the matter requires further consideration. Considering the prayer made by learned counsel for the State, four weeks' time is granted to obtain instruction as well as the case diary.

6. List this matter in the week commencing 27.01.2026.

I.A. No.1951 of 2025

7. Heard.

8. As an interim measure, it is directed that on an application being filed by the Petitioner seeking adjournment before the learned trial court, learned trial court shall do well to adjourn S.T Case No.267 of 2023 for a period of eight weeks.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 16-Dec-2025 17:39:38

