

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 1908/2018

Sheetla Prasad Verma And Anr

-----Petitioner

Versus

State Of Raj And Anr

-----Respondent

For Petitioner(s) : Mr. Jitendra Bajaj

For Respondent(s) : Mr. NS Dhakad PP

HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Order

17/04/2018

The learned counsel for the petitioner has relied upon the judgment dated 15.1.2018 rendered by co-ordinate Bench in **M/s. Bhole Baba Industries (Dholpur) Pvt. Ltd. & Anr. vs. State of Rajasthan & Anr., SBCRLMP No. 6730/2017** to contend that after Prevention of Food Adulteration Act, 1954 was repealed by enacting the Food Safety and Standards Act, 2006, proceedings initiated against the petitioner cannot continue.

Inter alia, the learned counsel for the petitioner has contended that in the present case, the complaint was filed in the year 2010 and the maximum sentence which may be awarded for mis-branding of offence is three months. The learned counsel for the petitioner has contended that since the petitioner is in corridors of the court from the last eight years, the proceedings are liable to be dropped in view of the Circular issued by the State Government. The learned counsel for the petitioner has contended that for the sentence of three months, summary proceedings are to be carried and since the petitioner has suffered a protracted

trial of eight years, in view of Article 21 of the Constitution of India, proceedings should be quashed.

Issue notice to the respondents for 12.7.2018.

List this case on 12.7.2018.

(KANWALJIT SINGH AHLUWALIA),J

Mak/-

