

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(123)

CRM-M-25476-2016

Decided on: July 29, 2016.

Parkash Parakh

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Raman Sharma, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Food Inspector, Panipat, pursuant to the samples of 'vanaspati ghee, taken from Lalit Nagpal, Samalkha, District Panipat, having been found not in accordance with standards laid down, filed a complaint against Lalit Nagpal. One Neeraj Mehta was added as accused in the complaint being manufacturer of the sub-standard ghee as Lalit Nagpal had moved an application before the trial Court intimating the Court that he had purchased the vanaspati ghee from M/s Parakh Foods Limited and that manufacturer should be summoned.

A Coordinate Bench of this Court in CRM-M-6227-2011 decided on 04.11.2014 quashed the summoning order qua Neeraj Mehta and issued a direction to the Chief Judicial Magistrate, Panipat directing to ascertain as to who was the responsible person of M/s Parakh Foods Limited at the relevant time when the crime was committed. Pursuant to the said order, the petitioner has been summoned in the capacity as Director of M/s Parakh Foods Limited.

Learned counsel for the petitioner has submitted that the petitioner is no more a Director of M/s Parakh Foods Limited and that the person responsible for the conduct of business, is Mr. Arvind Bhanudass, Manager of M/s Parakh Foods Limited. A copy of the nomination form in form VIII dated 13.02.2004 has been placed on record.

It appears that the petitioner has not brought this fact to the notice of the trial Court in order to enable the concerned Magistrate to comply with the directions passed by this Court on 04.11.2014 in CRM-M-6227-2011.

Notice to Advocate General, Haryana.

On asking of the Court, Mr. Gurdas Singh Salwara, DAG, Haryana, present in the Court, accepts notice.

This petition is disposed of at this stage with a direction that the facts brought to the notice of this Court, may be brought to the notice of Chief Judicial Magistrate, Panipat in order to enable him as to who is responsible person of M/s Parakh Foods Limited as per the directions passed by a Coordinate Bench of this Court on 04.11.2014. The personal appearance of the petitioner before the Chief Judicial Magistrate, Panipat will be kept in abeyance till the Chief Judicial Magistrate, Panipat arrives at a conclusion regarding the person responsible for the conduct of business of M/s Parakh Foods Limited.

(M.M.S. BEDI)
JUDGE

July 29, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No