

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25143-2019 (O&M)

Date of Decision:-28.2.2020

Harit Bhardwaj

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Goyal, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.534 dated 24.6.2016 registered at Police Station City Thanesar, District Kurukshetra under Sections 420, 272, 273 and 120-B of Indian Penal Code, 1860 and Sections 51 and 52 of Food Safety & Standard Act, 2006 (34 of 2006).

The learned counsel for the petitioner has submitted that the allegations as per FIR are that the petitioner was found to be in possession of 'Desi Ghee', which was stated to be not conforming to the prescribed standards and that in these circumstances at best the petitioner can be said to have committed some offence under Food Safety & Standard Act and no offence under Sections 420, 272, 273 and 120-B of Indian Penal Code can be said to have been committed.

The learned counsel for the petitioner has further submitted that although the petitioner had moved an application dated 24.7.2017 (Annexure

P-6) under Section 239 Cr.P.C. seeking his discharge as the charges are yet to be framed, but the said application has remained undecided although the same was filed on 24.7.2017.

Having heard the learned counsel for the petitioner, the petition is disposed of with a direction to learned Trial Court concerned to dispose of the application dated 24.7.2017 (Annexure P-6) under Section 239 Cr.P.C., expeditiously preferably within a period of one month from today. In case, any long date has been fixed in the matter, the learned Trial Court may prepone the matter to an earlier date.

28.2.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No