



\$~65

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **TR.P.(CRL.) 64/2025, CRL. M.A. 24670-27671/2025**

SURESH GUPTA

.....Petitioner

Through: Mr. Gajraj Singh, Ms. Sakshi Sachdeva, Ms. Ritika and Ms. Ayushi Gupta, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for State along with SI Hitesh Bhardwaj, PS Crime Branch.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

21.08.2025

1. The present petition under Section 447 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ read with Section 528 BNSS seeks the following reliefs:

"In view of the facts and circumstances stated hereinabove, the Petitioners most humbly and respectfully pray that this Hon'ble Court may graciously be pleased to:

A. Pass necessary order thereby directing that following criminal case titled as STATE VS SURESH GUPTA & ANR.:

CR CASE NO. : 7322/2023

FIR NO. 244/2022

U/S 272/273/308/420/5 I 1 TPC R/W

3(l)(ZZ)/59 of the food Safety and Standards Act, 2006

PS CRIME BRANCH

DISTRICT : NORTH WEST

NDOH 17/10/2025

(Trial pending in the Court of Ms. Vasundhara Chhaunkar, Ld. CJM, North West, Rohini Courts, Delhi for 17.10.2025 on point of charge.)

¹ "BNSS"



Lodged against the petitioner herein namely Suresh Gupta must be tried along with the case titled as Food Safety Officer vs Suresh Gupta., bearing Ct. No. 3122/2023 pending in the Hon'ble Court of Sh. Pranav Joshi, Ld. ACJM, New-Delhi, Patiala House Courts, New Delhi for 17.11.2025 for miscellaneous appearance; and/or

B. Pass any such other and further order/direction, which this Hon'ble court deem fit and proper in the facts and circumstances of the present case."

2. The aforementioned two cases, one registered by the Delhi Police and the other one by the Food Safety Officer arise from the same raid conducted at the premises of the Petitioner, which resulted in recovery of approximately 28 tons of Faux Cumin Seeds. Pursuant to the said raid, FIR No. 244/2022 was registered at P.S. Crime Branch, North West District, at the instance of the State Police. In the said, FIR a chargesheet was filed for the offences under Sections 272, 273, 308, 420 and 511 of the Indian Penal Code, 1860² read with Section 3(1)(ZZ) and 59 of the Food Safety and Standards Act, 2006. Subsequently, on 12th September, 2023, the Food Safety Officer also instituted a complaint under Sections 3, 26, 59(i) and 63 of the Food Safety and Standards Act, 2006 against the Petitioner.

3. Having regard to the fact that both proceedings emanate from the same incident, this Court is of the opinion that it would be appropriate that they be tried before the same Presiding Officer. It is noted that the complaint filed by the Food Safety Officer titled '*Food Safety Officer v Suresh Gupta*', bearing Ct. No. 3122/2023 is pending before the Court of the ACJ, New Delhi, Patiala House Courts. It is further noted that the said Court is also competent to try the case titled '*State v Suresh Gupta*', arising out of FIR No. 244/2022, bearing CR Case No. 7322/2023.

4. Accordingly, the present Petition is allowed with the direction that



case titled '*State v Suresh Gupta*', bearing CR. CASE No. 7322/2023, pending before the Court of CJM, North West, Rohini Courts, Delhi, shall be transferred to the Court of ACJ, New Delhi, Patiala House Courts.

5. A copy of this order be sent to Principal District and Sessions Judges of the concerned district for necessary information and compliance.

SANJEEV NARULA, J

AUGUST 21, 2025/MK