

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 172 OF 2017
(Arising out of SLP (Crl.) No.5797 of 2012)

B.C.SHARMA & ANR ... Appellants

VERSUS

UNION OF INDIA & ORS. ... Respondents

O R D E R

Leave granted.

Heard Mr. P. Chidambaram, learned senior counsel for the appellants and Mr. Ajit Kumar Sinha, learned senior counsel for the Union of India.

Mr. P. Chidambaram, learned senior counsel submitted that he does not intend to assail the constitutional validity that was the subject matter of challenge before the High Court of Delhi. However, he would submit that the packaged water that was sealed met all the standards as per the report of the analyst and that they were allowed to put the sticker.

In view of the aforesaid, we are of the considered opinion that there is no justification in continuance of the criminal prosecution. Accordingly the order dated 21.1.2003 taking cognizance as well as the Criminal Case No.14 of 2003 stand

quashed.

The appeal stands allowed to the extent indicated above.
There shall be no order as to costs.

.....,J.
(Dipak Misra)

.....,J.
(Uday Umesh Lalit)

New Delhi;
January 25, 2017.

ITEM NO.301

COURT NO.2

SECTION IIC

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5797/2012

(Arising out of impugned final judgment and order dated 28/02/2012
in WPCR No. 244/2010 passed by the High Court Of Delhi At New
Delhi)

B.C.SHARMA & ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

SLP(C) No. 34259/2012
(With Office Report)

Date : 25/01/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. P. Chidambaram, Sr. Adv.
Mr. Rajesh Batra, Adv.
Mr. Divyam Agarwal, Adv.
Ms. Sonia Kukreja, Adv.
Mr. Rohit Chandra, Adv.
Mr. Dheeraj Nair, AOR

Ms. Indu Malhotra, Sr. Adv.
Mr. Divyam Aggarwal, Adv.
Mr. Raghav Sabharwal, Adv.
Mr. Dheeraj nair, Adv.

Mr. Rajesh Batra, Adv.
Mr. Rohit Chandra, Adv.

For Respondent(s) Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Shadman Ali, Adv.
Mr. R.K. Rathore, Adv.
Mr. Vikas Bansal, Adv.
Mr. B.K. Makker, Adv.

Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Shadman Ali, Adv.
Mr. R.K. Rathore, Adv.
Mr. Vikas Bansal, Adv.
Mr. G.S. Makker, Adv.

Mr. Mehmood P., Adv.
Mr. Shadan Farasat, AOR

Mrs Lalita Kaushik, Adv.

UPON hearing the counsel the Court made the following
O R D E R

SLP (CRL) NO.34259 OF 2012

Let the matter be listed at 2.00 p.m. on 10.8.2017.

In the meantime, Mr. Sinha, learned senior counsel appearing for the Union of India shall bring on record the report of the analyst as far as the petitioner is concerned.

SLP (CRL) NO.5797 OF 2012

Leave granted.

The appeal is allowed to the extent indicated in the signed order. There shall be no order as to costs.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)