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

DECIDED ON : MAY 09, 2017.

+ **CRL.M.C. 1830/2017**

M/S VEEKAY SURGICALS PVT LTD Petitioner

Through : Ms.Soumya Kumar, Advocate.

VERSUS

M/S AARUSHI PHARMACEUTICALS & ANR. Respondents

Through : None.

**CORAM:
HON'BLE MR. JUSTICE S.P.GARG**

S.P.GARG, J. (ORAL)

Crl.M.A.No.7504/2017 (Exemption)

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 1830/2017

1. Present petition under Section 482 Cr.P.C. has been preferred by the petitioner to challenge the legality and propriety of an order dated 15.3.2017 of learned Additional Sessions Judge in CR No.31/17 whereby order dated 25.10.2016 of learned Metropolitan Magistrate was upheld.
2. I have heard the learned counsel for the petitioner and have examined the file. On perusal of the record, I find no illegality or material irregularity in the impugned order. The respondent had been afforded an

additional opportunity by the learned Trial Court to produce defence evidence on medical grounds. The petitioner challenged the order in Revision which resulted in its dismissal. The Revisional court has taken into consideration all the relevant facts. The Trial Court has been directed not to grant any further opportunity to the respondent herein to lead defence evidence. The Trial Court has further been directed to decide the matter within one month. Revisional court further observed that before granting additional opportunity on medical grounds, the Trial Court should have sought supporting documents. The discretion exercised by the courts below is not arbitrary.

3. The Revision petition lacks merits and is dismissed in limine.

(S.P.GARG)
JUDGE

MAY 09, 2017
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