

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.495 OF 2013

M/s Titan Laboratories Pvt. Ltd. Applicant
Vs.
M/s Gena Pharmaceuticals Ltd. & Ors. Respondents

Mr. Amin Solkar for the Applicant.
Mr. S.R. Agarkar APP for the State.

Coram : **Smt. Sadhana S. Jadhav, J.**
Date : **1st April 2019**

P.C.:

1 Heard.

2 On 15th March 2019, this Court had observed that respondent nos. 1 and 3 are duly served. It was also observed that on 16th April 2016, Advocate Mr. Dinesh Kumar Jain had caused his appearance for respondent nos.1 and 3 but had not filed his Vakalatnama nor anyone has filed Vakalatnama on behalf of the respondent nos. 1 and 3.

3 Perused the judgment as well as the evidence. The leave deserves to be granted. Hence, the leave is granted. Appeal admit.

4 Action under Section 390 of Code of Criminal Procedure be taken against Respondent nos.1 and 3. The respondent nos.1 and 3 shall appear before the Metropolitan Magistrate, 50th Court, Vikhroli, Mumbai on/or before 3rd June, 2019 and furnish bail bonds in the sum of Rs.15,000/-.

5 The respondent nos.1 and 3 shall continue to appear before the learned Metropolitan Magistrate once in six months on the date assigned by the learned Metropolitan Magistrate. Upon failure to attend any two consecutive dates, the learned Metropolitan Magistrate shall report the same to the High Court and the prosecution would be at liberty to file an application under Section 439(2) of Cr.P.C. seeking cancellation of bail.

(*Smt. Sadhana S. Jadhav, J*)