

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.51579 of 2021 (O&M)

Date of Decision:09.12.2021

Raj Kumar Gupta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rakesh Verma, Advocate and
Mr. Manish Verma, Advocate
for the petitioner.

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JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. with a limited prayer for adjournment of appeal bearing CRA No.179 of 2017 titled as R.C. Sharma and another Vs. State of Punjab, which is fixed for 10.12.2021 for a period of one month, given the fact that the petitioner herein is under medical treatment at Medanta and has been advised one month's bed rest.

In brief, the facts are that the petitioner herein is the Managing Director of M/s Thakar Chemicals Limited, New Delhi and has been convicted in a complaint filed under Section 29 read with Section 3 (k)(i), 17, 18, 29 and 33 of the Insecticides Act, 1968 and the rules framed thereunder. Against the said order, the petitioner herein preferred an appeal before the court of Additional Sessions Judge, Amritsar bearing CRA No.179 of 2017.

Counsel for the petitioner herein would contend that Mr. Raj

Kumar Gupta i.e. the petitioner herein and one of the appellants before the Additional Sessions Judge, Amritsar was keeping unwell and undergoing treatment for UGI bleed on account of multiple duodenal ulcers. It is contended that the petitioner is 65 years old and on account of his UGI bleed remained admitted in hospital from 07.11.2021 to 15.11.2021 and was thereafter discharged. It is submitted that he was again unwell and on account of that got himself treated at Medanta under Dr. Randhir Sud on 04.12.2021, who has also noted the fact that the petitioner herein is suffering from multiple duodenal diverticulae and has been advised rest at home for one month.

Counsel for the petitioner would further submit that an application for exemption of the petitioner from personal appearance and for adjournment of the said appeal for two months had been filed before the Additional Sessions Judge, Amritsar, however, the matter has been now listed for 10.12.2021 without acceding to the request of the petitioner.

I have heard learned counsel for the petitioner and have also perused the medical record attached with this petition. In view of the limited and innocuous prayer made for adjournment of the appeal pending before the Additional Sessions Judge, Amritsar for a limited period in view of the medical condition of the petitioner, this Court deems it appropriate to allow the said prayer, which would also be in consonance with the principle of natural justice. Consequently, the Additional Sessions Judge, Amritsar is directed to adjourn the appeal bearing CRA No.179 of 2017 titled as *R.C. Sharma and another Vs. State of Punjab*, which is fixed for hearing on 10.12.2021, for 13.01.2022.

With the aforesaid observation, the instant petition stands disposed of.

December 09, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No