

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

CRIMINAL REVISION APPLICATION NO. 256 OF 2021

M/s. Unilab Chemicals & Pharmaceuticals
Pvt. Ltd.

...Applicant

Versus

M/s. Chemico & ors.

...Respondents

Mr. Gandhar Raikar, a/w Mr. Sanket Singh, i/b Meraki
Chambers, for the Applicant.
Mr. S. R. Agarkar, APP for the State.

CORAM: N. J. JAMADAR, J.

DATED : 19th APRIL, 2022

PC:-

1. Heard the learned Counsel for the revision applicant.
2. The challenge in this revision application is to the judgment and order dated 29th June, 2021 in Criminal Appeal No.295 of 2020, whereby the learned Additional Sessions Judge, Greater Mumbai, was persuaded to reverse the order of conviction passed by the learned Metropolitan Magistrate, 48th Court, Andheri, Mumbai, in CC No.6769/SS/ 2010, dated 1st March, 2014, and acquitted respondent no.2. The challenge is principally on the ground that the applicant – original complainant was not heard. The impugned order records that the applicant did not appear despite ample opportunity.

However, the appeal seems have been decided whilst Covid-19 Pandemic was still prevalent.

3. Hence, issue notice to the respondents, returnable on 7th June, 2022.

4. Mr. Agarkar, the learned APP waives notice for respondent no.3/State.

5. In addition to notice through Court, the applicant is at liberty to serve respondent nos.1 and 2 by private service and file affidavit of service.

[N. J. JAMADAR, J.]