

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-19709 of 2015

Date of Decision: 15.01.2016

Vinod KumarPetitioner

Versus

State of Punjab and othersRespondents

AND

(2) CRM-M-19710 of 2015

Jaspal SinghPetitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. M.S. Atwal, Advocate for the petitioner(s).

Mr. P.S. Madhar, AAG, Punjab.

Mr. M.S. Bajwa, Advocate for respondent No.3.

HARI PAL VERMA, J. (ORAL)

This order shall dispose of CRM-M-19709 of 2015, titled 'Vinod Kumar vs. State of Punjab and others' and CRM-M-19710 of 2015, titled 'Jaspal Singh and others vs. State of Punjab and others' as prayer in both these petitions is for quashing of order dated 12.02.2014 passed by the Sub Divisional Magistrate-cum-Executive Magistrate, Hoshiarpur vide which the petitioner was directed to remove the DG set and also the order dated 14.01.2015 passed by Addl. Sessions Judge,

(Adhoc) Fast Track Court, Hoshiarpur, vide which revision filed by the petitioner(s) was dismissed.

Learned counsel for the petitioner(s) contends that pursuant to the order dated 12.02.2014 passed by the Sub Divisional Magistrate-cum-Executive Magistrate, Hoshiarpur, whereby, petitioners were directed to remove DG set, as during inspection, it was found that the generating sets used by petitioners create nuisance, air and loud speaking pollution, the petitioners have removed the DG set.

Learned counsel for respondent No.3-complainant has not controverted the said fact.

In view of the fact that proceedings under Section 133 Cr.P.C. are the summary proceedings as well as the fact that the petitioners have already removed DG set from the said place, no further orders are required to be passed in the present cases and, accordingly both the petitions are disposed of as such.

However, the petitioners are directed not to create any nuisance, air and loud speaking pollution in future without prior permission of the authorities concerned.

A photocopy of this order be placed on the connected case i.e.

CRM-M-No.19710 of 2015.

15.01.2016
Anjal

(HARI PAL VERMA)
JUDGE