

**241 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Date of Decision: 5th August, 2022

CRM-M-1559-2018

Tarlok Singh

Petitioner

Versus

State of Punjab

Respondent

CRM-M-1153-2018

Uday Kairon and others

Petitioners

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rakesh Verma, Advocate for
Mr. Manish Verma, Advocate for the petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

Vide this common order both the petitions shall be disposed of
as common question of fact and law is involved therein.

Petition bearing No. **CRM-M-1559-2018** was filed seeking
quashing of Complaint COMA-57/17 dated 5.6.2017 under Sections
3(k)(i), 17, 18 and 33 of Insecticides Act, 1968 read with Rule 27 (5) of
Insecticides Rules, 1971 punishable under Section 29(1)(a) of Insecticides
Act, 1968, summoning order dated 6.7.2017 and all consequential
proceedings arising therefrom.

Petition bearing No. **CRM-M-1153-2018** was filed seeking
quashing of Complaint 96 dated 5.6.2017 under Sections 3(k)(i), 17, 18

and 33 of Insecticides Act, 1968 read with Rule 27 (5) of Insecticides Rules, 1971 punishable under Section 29(1)(a) of Insecticides Act, 1968, summoning order dated 6.7.2017 and all consequential proceedings arising therefrom.

One of the main ground raised in these petitions for quashing the complaints is that these are time barred. Notice of motion was issued on 16.1.2018 and interim order was passed with a directions to the Trial Court to adjourn the matter beyond the date fixed by this Court.

At this stage, petitions are disposed of with a direction to the Court concerned that before having substantial proceedings, the issue with regard to time barred would be considered at the first instance.

The petitioners would be at liberty to revive the prayer in case cause of action survives.

The petitioners would be at liberty to move an application for exemption of their personal appearance before the Court concerned.

A photocopy of this order be placed on the file of connected case(s).

[AVNEESH JHINGAN]
JUDGE

5th August, 2022
anuradha

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |