

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15602-2017

Date of decision : December 04, 2023

M/s Crop Chemicals India Limited and others

....Petitioners

Versus

State of Punjab, through Insecticides Inspector, Dehlon, District
Ludhiana

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. R.K. Girdhar, Advocate, for the petitioners

Mr. P.S.Grewal, DAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, prayer has been made for quashing of Complaint No. 4432/2016 dated 18.4.2016, under Sections 3k(1), 17, 18, 29 & 33 of the Insecticides Act, 1968 read with Rule 27(5) of the Insecticides Rules, 1971 and summoning order dated 18.4.2016, passed by the learned Chief Judicial Magistrate, Ludhiana.

2. Learned counsel for the petitioner submits that the instant complaint has been filed after statutory period of three years, as prescribed under Section 468 Cr.P.C., therefore, the instant complaint is sheer abuse of process of law. During the pendency of the instant petition much water has been flown and notice of accusation has been issued to the petitioners.

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3. Learned State counsel submits that out of total 10 witnesses cited by the prosecution, 4 have already been examined and the next date for examining rest of the prosecution witnesses before the trial court is fixed for dated 5.12.2023. He further submits that they will make endeavour to examine all other witnesses within three months from today.

4. In view of the aforesaid, this Court is not inclined to interfere in the matter and the instant petition is dismissed.

5. However, liberty is granted to the petitioners to raise all the pleas available to them including the plea of lapse of three years in filing the complaint before the learned trial court concerned at appropriate stage.

6. In case the petitioners file any application for exemption of personal appearance, the learned trial court shall consider it sympathetically.

7. Dismissed.

(KULDEEP TIWARI)
JUDGE

December 04, 2023
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<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>