

CRM-M-20745-2023

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-20745-2023
Decided on : 19.05.2023**

Jaswinder Singh and another

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rakesh Verma, Advocate and
Mr. Manish Verma, Advocate
for the petitioner(s).

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. In the present quashing petition, on 26.04.2023, following order was passed:-

“ Learned counsel for the petitioners submits that petitioners were summoned in complaint case No.COMA-77/2017 dated 06.12.2017 under Sections 3(k)(i), 17, 18, 29 and 33 of Insecticides Act, 1968, titled as “State Vs. Jatan Kheti Sewa Centre & others”. The said complaint is barred by limitation. Learned counsel for the submits that co-accused has filed a petition bearing CRM-M-No.5234 of 2018 which was allowed on 23.01.2023, operative part of the extract of the said order is as under:-

“Since the complaint is barred by limitation, it cannot be proceeded further. If proceedings in the complaint are allowed to go, then it would amount to be the misuse of the process of law.

*In view of the above discussion, the present petition is allowed and the complaint bearing No.COMA-77/2017 dated 06.12.2017, registered under Sections 3(k)(i), 17, 18, 29, 33 of the Act, titled **State vs. M/s Janta Kheti Sewa Centre & Others**, pending in the Court of learned Chief Judicial Magistrate, Moga (Annexure P-1) and Summoning Order dated 06.12.2017 (Annexure P-2) are hereby quashed along with all consequential proceedings arising therefrom.”*

Learned counsel for the petitioner submits that notice to petitioners have been issued despite the quashing of the complaint.

Let report from concerned Court be called for 19.05.2023.”

2. Counsel for the petitioners submits that subsequently, after appreciating the spirit of the order dated 23.01.2023, passed by this Court, Ld. Chief Judicial Magistrate/Trial Court has dropped the proceedings *qua* the petitioners before this Court in the present petition, vide its order dated 27.04.2023.

Counsel for the petitioners produces a copy of the order dated 27.04.2023, in Court, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

3. Counsel for the petitioners submits that in view of the fact that since proceedings *qua* the petitioners have been dropped, present petition is rendered infructuous and may be disposed of as such.

4. Disposed of, being infructuous.

**(SANJAY VASHISTH)
JUDGE**

May 19, 2023

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No