



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

150

CRM-M-19084-2016

Date of Decision:-19.02.2026

HYDERABAD CHEMICALS LTD AND ORSPETITIONERS

VS.

STATE OF PUNJAB THROUGH INSECTICIDE INSPECTOR
BATHINDA

.....RESPONDENT

CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. K.S. Nalwa, Senior Advocate with
Ms. Ashmeet Kaur Shah, Advocate and
Mr. Viismaad S. Bajwa, Advocate
for the petitioner(s).

Mr. Harkanwar Jeet Singh, AAG, Punjab.

(THROUGH VIDEO CONFERENCING)

JASJIT SINGH BEDI, J.(ORAL)

1. The prayer in the present petition under Section 482 of Cr.P.C. is for seeking quashing of the complaint bearing COMA 1858/14 dated 12.05.2014 filed under Sections 3(k), (i), 17, 18, 29 and 3 of Insecticides Act, 1968 read with Rule 27(5) of Insecticide Rules, 1971 (Annexure P-9), Summoning Order dated 12.05.2014 (Annexure P-10) passed by the Learned Chief Judicial Magistrate Bathinda and order dated 29.04.2016 (Annexure P-11) passed by Ld. Addl. Sessions Judge, Bathinda and all the consequential proceedings arising therefrom.

2. The learned Senior counsel for the petitioner *inter alia* contends that the godown was inspected on 07.10.2009. Samples were taken and sent for quality check and the report of the Insecticide Authority

was obtained from the Central Insecticide Testing Laboratory on 24.12.2009. The complaint was filed on 12.05.2014, leading to the passing of the impugned summoning order on 12.05.2014. He contends that assuming the period used in seeking sanction is deducted, even then, the complaint has been filed after 04 years and 02 months and it ought to have been filed within a period of 03 years. He therefore, prays that the complaint and summoning impugned order be quashed. Reliance has been placed on the judgments of the Hon'ble Supreme Court in "***Sarah Mathew V/s Institute of Cardio Vascular Diseases and Ors.***", (2014) 2 SCC 62, and "***M/s Cheminova India Limited and Anr. V/s State of Punjab and Anr.***", (2021) 8 SCC 818, and of this Court in "***Sohan Singh V/s State of Punjab***", 2018 SCC Online P&H 7093.

3. The learned counsel for the State has not disputed either the factual position that the complaint was filed beyond the period of limitation, as also the fact that in similar matters, the Hon'ble Supreme Court has quashed proceedings.

4. I have heard the learned counsel for the parties.

5. Admittedly, the complaint had to be filed within 03 years of 13.10.2009, excluding the period taken to obtain sanction, which is 03 months. However, in the instant case, the complaint has been filed after 04 years and 02 months, which is much beyond the limitation period of 03 years.

6. In view of the above and the authoritative pronouncements on the subject by the Hon'ble Supreme Court in ***Sarah Mathew (supra)*** and ***M/s Cheminova India Limited and Anr. (supra)*** and this Court in ***Sohan Singh (supra)***, the complaint bearing COMA 1858/14 dated

12.05.2014, Summoning Order dated 12.05.2014 (Annexure P-10) and order dated 29.04.2016 (Annexure P-11) and all consequential proceedings arising therefrom stand quashed.

7. All the pending miscellaneous applications, if any, stand disposed of.

19.02.2026

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(JASJIT SINGH BEDI)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>