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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(127) CRM-M-44841-2022 (O & M)
Date of decision: 10.02.2026
(Through VC)

M/s Abhi Trading Co. and anr.

..... Petitioner(s)

V/s

Chandigarh Pollution Control Committee, Chandigarh

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ramnish Puri, Advocate,
for the petitioner(s).

Mr. Komalpreet Singh, Advocate,
for Mr. Gaurav Datta, Advocate, for the respondent.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the criminal complaint NACT No.2080/2017 dated 27.03.2017 and CNR No.CHCH030033232017 titled as 'Chandigarh Pollution Control Committee, Chandigarh vs. M/s Abhi Trading Company and another under Sections 41, 44, 45A of Water (Prevention and Control of Pollution) Act, 1974 and Sections 37, 38 and 39 of the Air (Prevention and Control of Pollution) Act, 1981 (Annexure P-1), the impugned summoning order dated 28.03.2017 (Annexure P-2) passed by the JMIC, Chandigarh and all consequential proceedings arising therefrom.

2. The learned counsel for the petitioners contends that in similar cases, the complaint and the summoning order stand quashed as per the

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judgment in 'M/s Rajinder Singh & Brothers and another versus Chandigarh Pollution Control Committee in CRM-M-40017-2017 decided on 16.05.2023 alongwith other connected matters. As the case of the petitioner is on an identical footing the present complaint (Annexure P-1), summoning order (Annexure P-2) and all other consequential proceedings arising therefrom be also set aside.

3. The learned counsel for the complainant-respondent, at the very outset, fairly concedes that the case of the petitioner is covered by the judgment rendered by this Court in M/s Rajinder Singh & Brothers (supra).

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

5. In 'M/s Rajinder Singh & Brothers and another versus Chandigarh Pollution Control Committee (CRM-M-40017-2017 decided on 16.05.2023 alongwith other connected matters), the co-ordinate Bench of this Court held as under:-

28. Therefore, considering the aforesaid submissions and after testing the documentary material before the Court, which are the documents of the respondent-CPCC itself and have not been disputed and also considering the judgment rendered in Bhajan Lal (supra), I am of the firm view that the issuance of show cause notice dated 22.06.2017 and subsequently preferring a complaint dated 21.03.2017 (Annexure P-14) are totally unwarranted arbitrary act, which suffers from malice and tantamount to blatant abuse of process of law.

29. Hence, the complaint dated 21.03.2017 (Annexure P-14) alongwith summoning order 21.07.2017 (Annexure P-15) passed by the Judicial Magistrate Ist Class, Chandigarh is, hereby, ordered to be quashed.

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30. Accordingly, the petitions are allowed.

6. In view of the facts that both the parties are *ad idem* that the case of the petitioner is similar to that of those in M/s Rajinder Singh & Brothers (supra), the complaint (Annexure P-1), summoning order dated 28.03.2017(Annexure P-2) and all consequential proceedings arising therefrom stand quashed.

7. The present petition is disposed of.

8. the pending application(s), if any, shall stand disposed of accordingly.

February 10, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No