

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-27812 of 2019

Date of Decision: 04.07.2019

Santosh Kumar Sharma

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Akshay Bhan, Senior Advocate
with Mr. Gurinder Singh, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. for quashing of order dated 30.04.2019 (Annexure P1), passed by learned Judicial Magistrate Ist Class, Hodal, whereby warrants of arrest were ordered to be issued against the petitioner, namely Santosh Kumar Sharma and he is required to appear before the learned Court below on 06.07.2019.

Learned senior counsel representing the petitioner contended that petitioner shall appear before the learned Court below as a witness on the date and time fixed by it. Learned senior counsel further contended that petitioner has not been served, at any stage, by now.

In view of above, order dated 30.04.2019 (Annexure P1), passed by learned Judicial Magistrate Ist Class, Hodal is hereby set aside. In case, petitioner appears before the learned Court below on the date fixed i.e. 06.07.2019, the learned Judicial Magistrate shall be at liberty to complete

the proceedings under Section 350 Cr.P.C., if any. However, in case petitioner fails to appear before the learned Court below on the date fixed, the learned Judicial Magistrate shall be at liberty to pass any order.

(Shekher Dhawan)
Judge

July 04, 2019
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No