

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

CRM-M No. 47059 of 2019(O&M)

Date of decision: - 18.12.2019

TEJVIR SINGH

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. D.P. S. Bajwa, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in this petition under Section 482 Cr.P.C. is for setting aside the impugned order dated 07.09.2019 passed by the learned Judicial Magistrate 1st Class, Hisar, vide which petitioner was directed to furnish fresh order of stay qua proceedings of the case.

Learned counsel for the petitioner has drawn the attention of this Court to the order dated 25.07.2019 passed by Coordinate Bench of this Court in similar case CRM-M-2992 of 2018 and other connected matters.

Notice of motion was issued on 04.11.2019.

Today, status report by way of affidavit of Amarjeet Kataria, HPS, Deputy Superintendent of Police, Hisar, has been filed by the learned State counsel in Court today, which is taken on record.

In the reply, it is submitted that this Court in similar matters i.e. CRM-M-2992 of 2018 and other connected matters has passed order dated 25.07.2019, whereby the said cases were disposed of with liberty to the petitioner(s) therein to file fresh one(s), if required, as and when the Hon'ble Supreme court decides the matter. Learned trial courts in all these cases were requested not to proceed with the cases pending on the aspect of allotment of more than one plot by the HUDA. It is further submitted in the reply that the petitioner should have produced the order dated 25.07.2019 before the learned trial Court for any relief instead of filing the present petition.

I have heard the learned counsel for the parties and am of the view that once a Coordinate Bench of this Court had passed the order dated 25.07.2019, the same could have been produced by the petitioner before the learned trial Court. Needless to say that the order dated 25.07.2019 shall bestow the petitioner with the same relief as has been granted to the similarly situated persons.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

18.12.2019

Mangal Singh

Whether reasoned/speaking?

Yes/no

Whether reportable?

Yes/No