

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

DECIDED ON : 23.12.2019

1.

CRM-M-54651-2019

Wasil @ Sonu

...Petitioner

versus

State of Haryana

...Respondent

2.

CRM-M-55009-2019

Shamsher @ Sonu

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. G.C. Shahpuri, Advocate
for the petitioner in CRM-M-54651-2019.

Mr. Sunil K. Tandon, Advocate
for the petitioner in CRM-M-55009-2019.

GIRISH AGNIHOTRI, J. (ORAL)

This common order shall dispose of aforesaid two writ petitions since identical questions of law and facts are involved in the same. For the sake of convenience the facts are being taken from CRM-M-54651-2019.

Present petition has been filed by petitioner-Wasil @ Sonu Son of Mazid, *inter alia*, praying for interim protection from arrest till the order dated 12.12.2019 (Annexure P-4) is stayed/quashed and/or till the date of

appearance before the learned Additional Sessions Judge, Yamuna Nagar.

Learned counsel for the petitioner submits that vide order dated 01.10.2019, (Annexure P-2) passed by the Judicial Magistrate First Class, Yamuna Nagar at Jagadhari the petitioner was admitted to default bail. He thereafter submits that there has been significant subsequent developments. On 10.10.2019, challan was prepared and in due course presented in the Court. He secondly submits that in the meantime vide the impugned order dated 12.12.2019 (Annexure P-4), learned Additional Sessions Judge, Jagadhari has directed the petitioner to surrender on or before 19.12.2019. He then submits that the next date as of now is fixed as 15.01.2020.

Learned counsel for the petitioner further submits that he apprehends arrest and also as a consequence of the order dated 12.12.2019, non-bailable warrants have been issued on 21.12.2019.

Notice of motion.

On the asking of this Court, Mr.Kuldeep Sharma, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent-State.

In view of the above peculiar facts and circumstances, this Court deems it appropriate to direct the petitioner(s) to appear before the learned Additional Sessions Judge on 27.12.2019 and fully cooperate in the investigation of this case, as and when required. Petitioner(s) shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

In case on the said date, none of the Additional Sessions Judge is on duty, then the concerned authority is directed to grant them further date when Additional Sessions Judge shall be on duty.

It is made clear that on the effective date of hearing before the learned Additional Sessions Judge, the petitioner(s) would appear before the

learned Additional Sessions Judge.

The petitioner shall abide by any further order passed by the Additional Sessions Judge.

Petitions are disposed of accordingly.

December 23, 2019

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**(GIRISH AGNIHOTRI)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO