

2024:PHHC:070055

244 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22183-2019

Date of Decision: 17.05.2024

Bharat Sharma

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: None for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., prayer has been made for setting aside of orders dated 13.03.2018, 26.03.2018, 04.05.2018, 04.08.2018 and 20.09.2018, whereby, non-bailable warrants were issued against the petitioner by the Court of Additional Sessions Judge, Panchkula in a pending appeal titled as “*Bharat Sharma vs. Rajesh Kumar*”.

2. On 26.08.2019, the following was passed by this Court:-

Present petition under Section 482 Cr.P.C. for setting aside orders dated 13.03.2018, 26.03.2018, 04.05.2018, 04.08.2018 & 26.03.2018, passed by the learned Additional Sessions Judge, Panchkula in appeal titled as “Bharat Sharma v. Rajesh Kumar”. Learned counsel for the petitioner contended that during the intervening period, applications, having been filed by the petitioner for condonation of delay in filing the appeal and suspension of sentence, remained pending and still the learned trial Judge passed orders whereby non-bailable warrants of arrest

have been issued against the petitioner without deciding the said applications.

Notice of motion for 13.11.2019.

On asking of the Court, Mr. Ashish Sanghi, Deputy Advocate General, Haryana accepts notice on behalf of respondent. A complete copy of paper-book be provided to him during the course of the day.

Meanwhile, arrest of the petitioner shall remain stayed till the next date fixed in the present petition.”

Vide aforesaid order, arrest of the petitioner was stayed, however, the petitioner never presented himself to the jurisdiction of the first Appellate Court, resultantly, the interim protection granted in favour of the petitioner was withdrawn vide order dated 29.10.2022 passed by this Court followed by issuance of warrant of arrest against him by the trial Court vide its order dated 21.11.2022.

4. In view of the aforementioned subsequent development, no cause survives in the present petition, the same is thus, dismissed.

17.05.2024
sonika

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned: yes/no
Whether reportable? yes/no