
(2021) 03 P&H CK 0296

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 13485 Of 2021

Sakir @ Chotte

APPELLANT

Vs

State Of Haryana

RESPONDENT

Date of Decision : 23-03-2021

Acts Referred:

Citation : (2021) 03 P&H CK 0296

Hon'ble Judges : Harinder Singh Sidhu, J

Bench : Single Bench

Advocate : Manish Soni

Final Decision : Allowed

Judgement

Harinder Singh Sidhu, J

Petitioner has laid a challenge to impugned order dated 16.03.2021 (P.5) passed in Sessions Case No.SC/46/2018 dated 17.01.2018 whereby the learned Addl. Sessions Judge, Gurugram has declined his application for adjourning the case and directed that arguments be advanced on 23.03.2021.

It is stated that the petitioner had preferred a petition bearing CRM-M-10979 of 2020 before this Court, which came up for hearing on 16.03.2020 and thereafter the same was adjourned to 05.05.2020. On 05.05.2020, this Court while issuing notice of motion directed the trial Court to adjourn the case beyond the date fixed by this Court.

Learned counsel for the petitioner submits that because of lockdown and suspension of regular judicial work, case could not be taken up for hearing and was adjourned from time to time, in the light of administrative orders passed by this Court. He submits that the case was last fixed/listed on 12.02.2021. Thereafter in terms of administrative order dated 29.01.2021 (P.3) passed by this Court, the case has been adjourned to 19.05.2021. Learned counsel further submits that in terms of the administrative order dated 29.01.2021, all interim

orders passed in the cases shall continue till the next date of hearing. He accordingly contends that thereby the order passed by this Court on 05.05.2020 in CRM-M-10979 of 2020 directing the learned trial Court to adjourn the proceedings beyond the date fixed before this Court is to continue to operate till 19.05.2021 and impugned order dated 16.03.2021 (P.5) directing the petitioner to advance arguments cannot be sustained.

It is clear from administrative order dated 29.01.2021 that all the cases already fixed/listed from 30.01.2021 to 26.02.2021 would be adjourned by NIC for the dates fixed in the said order and all interim orders passed in the said cases would continue till the next date of hearing.

In these circumstances, present petition is allowed and order dated 16.03.2021 (P.5) is set aside. The trial Court may adjourn the proceedings to a date beyond 19.05.2021.