

**Form No. HCJD/C-121
ORDER SHEET
IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT**

Case No. C.M No. 02/2019 in Writ Petition No.20511/2019
Hamza Shahbaz Sharif **Versus** National Accountability etc.

Sr. No. of Orders/ Proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of parties of counsel, where necessary.
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C.M No. 02/2019

06.04.2019

Mr. Hafeez-ur-Rehman, Advocate and Mr. Muhammad Amjad Pervaiz, Advocate and Ch. Imtiaz Elahi, Advocate for petitioner.

The instant C.M has been produced before me in Chamber by learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that writ petition No.20511/2019 seeking ad interim pre-arrest bail of the petitioner in inquiry No.1(9)HQ/2011/IW-II/NAB-L dated 23.10.2018 and Investigation No.1(61)HQ/974/NAB-L dated 04.04.2019 has already been filed before this Court and same is fixed for hearing on 08.04.2019 before learned Division Bench of this Court. It has further been submitted by learned counsel for the petitioner that previously on 20.11.2018 Hamza Shahbaz Sharif petitioner filed writ petition No.246619/2018 seeking his pre-arrest bail before learned Division Bench of this Court but when said pre-arrest bail of the petitioner became infructuous, learned Division Bench of this Court issued directions to NAB authorities that if subsequently arrest of the petitioner is required then he (petitioner) shall be given ten days notice for said purpose. It has further been contended by learned counsel for the petitioner that in violation of aforesaid order passed by learned Division Bench of this Court, the NAB authorities are apt to arrest the

petitioner without giving him the time of at least ten days and petitioner's house has been cordoned by the NAB authorities ; Thus, it is submitted that petitioner be allowed ad interim protective bail till 08.04.2019 in order to enable the petitioner to approach the concerned learned Division Bench.

3. When confronted that instant case is a D.B matter and then how learned Single Bench of this Court can entertain this petition, learned counsel for the petitioner while referring the case law reported as "*Imran Raza Khan, Advocate Versus SSP, Lahore and 2-others*" submits that similar matter was entertained by the Chief Justice at his residence alone.

4. I have heard the arguments of learned counsel for the petitioner and perused the available record with care.

5. It has been noticed that previously on 20.11.2018, Hamza Shahbaz Sharif petitioner filed writ petition No.246619/2018 seeking his pre-arrest bail before learned Division Bench of this Court and while disposing the aforesaid writ petition the learned Division Bench of this Court passed the following observations which are reproduced as under:-

“ that if hereinafter it (NAB) finds any ground for arrest of the petitioner, then the same would be communicated to him, so that he may have sufficient time of at least ten days, for approaching the court of competent jurisdiction”.

Learned counsel for the petitioner states at bar that no such notice has been given to the petitioner, rather

NAB authorities are apt to arrest the petitioner in violation of aforesaid order passed by learned Division Bench of this Court in aforesaid writ petition (246619/2018). It has further been noticed that writ petition No.20511/2019 seeking pre-arrest bail of the petitioner in the instant case has already been fixed for hearing on 08.04.2019 before concerned learned Division Bench of this Court but NAB authorities are apt to arrest the petitioner today.

6. Keeping in view the facts and circumstances of this case, instant C.M is accepted and petitioner is admitted to ad interim protective bail till **08.04.2019** in order to approach him the concerned learned Division Bench of this Court dealing with NAB cases where his pre-arrest bail is already pending adjudication. It is made clear that this order would cease to have any effect after **08.04.2019** . This order would not prejudice the case of any party. The NAB authorities shall not arrest the petitioner till the said date.

CrI. Misc. No.02/2019
in writ petition No. 20511/2019

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(Sardar Muhammad Shamim Khan)
Chief Justice

Shafique