

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CRM-2578-2021 IN/AND  
CRM-M-49035-2018  
Date of Decision: 10.02.2021

Vijay Kumar @ Tina

....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present : Mr. P.S.Ahluwalia, Advocate,  
for the petitioner.

**Through Video Conferencing**

**JASGURPREET SINGH PURI, J. (Oral)**

**CRM-2578-2021**

The learned counsel for the applicant/petitioner has submitted that the petitioner has since died on 05.01.2020 and prays for withdrawal of the main petition i.e. CRM-M-49035-2018.

The learned counsel for the applicant/petitioner has further submitted that an application was filed by the complainant/respondent No.2 for summoning the applicant/petitioner as an accused under Section 319 Cr.P.C. but it was declined by the learned trial court. However, in the revision, the order was set aside and the trial court was directed to pass a fresh order. This order of revisional court was challenged in this case and the operation of the order was stayed by this Court.

The learned counsel further submitted that since the petitioner has died, no further cause of action survives and therefore, the petition in

the present petition has become redundant and may be disposed of as such.

The learned State counsel has submitted that it is correct that no further cause of action survives in the present petition.

Consequently, the present application is allowed and it is directed that the present petition has become redundant in view of the fact that the petitioner has since been expired.

**Main case**

The main case is fixed for hearing on 07.04.2021. In view of the application filed by the applicant/petitioner for withdrawal of the main petition, the same is preponed for today and is taken on board.

In view of the order made in the application with regard to the withdrawal of the present petition, the present petition is disposed of as having become redundant.

**(JASGURPREET SINGH PURI)**  
**JUDGE**

**10.02.2021**  
adhikari

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|-------------------------------|---|--------|
| Whether speaking/non-speaking | : | Yes/No |
| Whether reportable            | : | Yes/No |