

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

CRM-M No.26547 of 2022

Date of decision: 25th January, 2023

Mukesh Kumar & others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ravinder Singh, Advocate for the petitioners.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case bearing FIR No.55 dated 16.08.2021 under Sections 323, 324, 148, 149 IPC (Section 326 IPC added later on) registered at Police Station Pojewal, District SBS Nagar.

Learned counsel for the petitioners at the outset submits that subsequent to the order dated 15.06.2022, petitioner No.1 Mukesh Kumar had expired, whereas the remaining petitioners namely Jatinder Singh alias Kamma and Simarjeet Singh alias Simu, in compliance of the order dated 15.06.2022, have joined the investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioners namely Jatinder Singh alias Kamma and Simarjeet Singh alias Simu having joined the investigation and cooperated with the investigating agency. He on further instructions submits that the above said petitioners are not required for further investigation much less for their custodial interrogation. He also does not dispute the factum of death of petitioner No.1 Mukesh Kumar.

In the circumstances, the petition qua petitioner No.1 Mukesh Kumar stands disposed of having been rendered infructuous. Qua petitioners No.2 and 3 namely Jatinder Singh alias Kamma and Simarjeet Singh alias Simu, the petition is allowed and the interim order dated 15.06.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

January 25, 2023

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No