Court No. - 9

Case :- CRIMINAL APPEAL No. - 628 of 2020

Appellant :- Rakesh Rawat
Respondent :- State of U.P.
Counsel for Appellant :- Atul Verma,Atul Verma
Counsel for Respondent :- G.A.

Hon'ble Rajan Roy,J.
Hon'ble Ajai Kumar Srivastava-I,J.

The sole appellant in Criminal Appeal No.628 of 2020 has died. This Court vide its order dated 10.10.2022 took cognizance of the application filed by the wife of the appellant addressed to Hon'ble the Chief Justice dated 25.02.2022 praying for inquiry regarding death of her husband due to negligence of doctors and also for compensation. The Court ordered Deputy Inspector General of Police (Prison), State of U.P. to hold an inquiry. An Inquiry Report has been filed. We have perused the report of D.I.G. (Prison), Lucknow Region, Lucknow dated 02.01.2023 which mentions about lapses on the part of the jail doctors. We do not express any opinion on the said Report, however, we deem it proper to direct the Senior Registrar of this Court to transmit copy of the said Report to the Additional Chief Secretary/ Principal Secretary (Home), Government of Uttar Pradesh, Lucknow who may take cognizance of the same and take such action as he may deem fit and proper in the facts and circumstances of the case and as may be required in law. In addition to it, it is always open for the wife of the deceased appellant to claim such relief as is permissible in law before the appropriate court/forum but so far as this appeal is concerned, it has to be dismissed as abated, of course, without prejudice to the aforesaid. Whatever decision/ action is taken upon the Report aforesaid by the State Government, it shall be communicated to the wife of the deceased appellant. We expect an early decision in the matter say within the next three months. Attested copy of ordersheets of this appeal shall be kept on the records of the connected Criminal Appeal No.629 of 2020 [Rohit Kumar Verma vs. State of U.P.].

Accordingly, the appeal is dismissed as abated.

(Ajai Kumar Srivastava-I,J.) (Rajan Roy,J.)

Order Date :- 18.10.2023
Shanu/-

Digitally signed by :-
SHANU SUMAN
High Court of Judicature at Allahabad,
Lucknow Bench