

GAHC020000482016

2024:GAU-NL:599



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
KOHIMA BENCH

Case No. : CRAPL/1/2016

SMTI. GLORIA DOLMA (VICTIM) AND ANR
D/O SHRI PREM BADHUR
R/O NEW RESERVE
PHESAMA, KOHIMA NAGALAND

2: SMTI. VILANUO KELI-O (COMPLAINANT)
W/O SMTI SEYIEVILHOU KELI-O
R/O L KHEL
KOHIMA NAGALAN

VERSUS

SHRI SAMRAT(CONSTABLE/DRIVER) AND ANR
S/O BIDYA SAGAR
M.T. BRANCH ATTACHED TO PHQ
O/O THE DIRECTOR GENERAL OF POLICE NAGALAND KOHIMA
R/O NEW RESERVE
KOHIMA NAGALAND

2:THE STATE OF NAGALAND
KOHIMA NAGALAN

Advocate for the Petitioner : A. ZHO,

**Advocate for the Respondent : C. T. JAMIR, SR. ADV, I IMCHEN,ALIBA
OZUKUM,TOSHI JAMIR,ASA RUTSA,K. TSUKRU,NUNGSANG AIER,JIWALO
APON,IMTILA PONGEN,JAWAMONG YADEN,O TEMJEN JAMIR**

**BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG**

ORDER

19/11/24

Heard Mr. James Newmai, learned counsel for the appellant. Also heard Ms. K. Tsukru, learned counsel appearing on behalf of the accused respondent.

Ms. K. Tsukru, learned counsel submits that during the pendency of this appeal, the accused, Mr. Samrat, has expired on 24.07.2024. Under the circumstances, the appeal cannot proceed further because the accused is no longer alive to stand trial or defend himself.

In view of the above, the appeal is abetted due to the death of the respondent/accused. However, the conviction of the accused by this court on 09.02.2017, remains in effect, although hearing on the Quantum of sentence could not be done due to the death of the convict.

With the above, this appeal stands disposed of.

The victim is entitled for a compensation under the Victim Compensation Scheme.

Let a copy of this order be forwarded to the Chairperson, District Legal Services Authority, Kohima for forwarding the case of the victim for compensation under the Victim Compensation Scheme.

JUDGE

Comparing Assistant