

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No. 419 of 2011

- Deepak Kumar S/o Prem Das Vaishnav, Aged about 23 years, R/o Village – Birra, Present Address – Pandariya, P.S. Pandariya, District Kabirdham (C.G).

---- Appellant

Versus

- State of Chhattisgarh, through the District Magistrate, Bilaspur, District Bilaspur (C.G.).

---- Respondent

For Appellant	: Shri Awadh Tripathi, Advocate
For the State/Respondent	: Shri Avinash Mishra, P.L.

Hon'ble Shri Justice Pritinker Diwaker and
Hon'ble Shri Justice Inder Singh Uboweja

CAV JUDGMENT

Passed on : 25/08/2015

Per Printinker Diwaker, J.

1. On 09-07-2015, it was informed by counsel for the appellant that sole appellant Deepak Kumar has expired. On that day itself, the State counsel was directed to ascertain the fact about the death of the appellant. On 27-07-2015, the State counsel again took time to ascertain the fact about the death of the appellant. Thereafter, on 04-08-2015, another

opportunity was granted to the State counsel to ascertain status of the appellant.

2. Today when the case is taken up for hearing, Shri Avinash Mishra, learned State counsel submits that he has received a communication dated 19-08-2015 from S.H.O., Police Station Pandariya, District Kabirdham along with photocopy of death certificate confirming the death of the sole appellant stating that the appellant died on 26-06-2014.
3. No application has been filed by the legal representatives of the appellant to contest the case.
4. In view of the above, the appeal stands abated.
5. Original record of S.T. No. 136 of 2010 be retained.
6. Registry is directed to keep the record of the Court below in Criminal Appeal No. 543 of 2011.

Sd/-
(Pritinker Diwaker)
JUDGE

Sd/-
(I.S. Uboweja)
JUDGE

