

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1225 OF 2012

Vijay R. Seth .. Appellant
Versus
Central Bureau of Investigation
and anr .. Respondents

Mr.R.S.Dave, Advocate for the appellant.

Mrs.M.R.Tidke, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 2nd MARCH, 2015

P.C. :

1 Taken on today's board on being mentioned by the learned counsel for the appellant.

2 The appellant was prosecuted along with three others (Accused nos.2, 4 and 5 in CBI Special Case No.37/98). The case against the accused no.1 in the said case was separated. After holding a trial, the learned Special Judge found the appellant (original accused no.3) guilty of offences punishable under section 120B IPC, 420 IPC, 468 IPC and 471 of the IPC. The learned Special Judge sentenced the appellant to suffer Rigorous Imprisonment for three years with respect to the offences punishable under section 120B of the IPC and 420 of the IPC together with a sentence of fine of Rs.1,000/- on each of the said two counts. The learned Special Judge sentenced the appellant to suffer RI for two years and to pay a fine of Rs.1,000/- with respect

to the offence punishable under section 468 of the IPC, and to suffer RI for one year and to pay a fine of Rs.1,000/- with respect to the offence punishable under section 471 of the IPC. Being aggrieved by his conviction and the sentences imposed upon him, the appellant has preferred the present Appeal which is to be heard finally.

3 The appellant has passed away during the pendency of the present appeal. Since another appeal filed by the appeal was on board today (Criminal Appeal No.997/12) on the suggestion of the learned counsel for the appellant, the present Appeal was also taken on board today.

4 The learned counsel for the appellant submits that as the appellant has passed away, he does not wish to advance any oral arguments in support of the Appeal. The learned counsel submitted that he also does not wish to make any submissions and to contend that the findings arrived at by the trial court, are erroneous.

5 Under these circumstances, after having gone through the judgment and after taking into consideration that nothing has been pointed out on behalf of the appellant as to how the impugned judgment, so far as it relates to the appellant, is erroneous, I am not inclined to interfere with the findings recorded by the trial court.

6 The Appeal is dismissed.

(ABHAY M.THIPSAY, J)