

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

Crl. Appeal D-295-DB of 2003
Date of Decision : October 15, 2015

Vikash @ Rinku

.....Appellant

VERSUS

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE GURMIT RAM**

Present : Mr. Vinod Ghai, Senior Advocate with
Mr. Simrandeep Singh Sandhu, Advocate and
Mr. K.S.Dhanora, Advocate
for the appellant.

Mr. Dhruv Dayal, Deputy A.G., Haryana.

T.P.S. MANN, J. (Oral)

The appellant was tried for committing the offence punishable under Section 302 IPC. Vide judgment and order dated 6/7.2.2003, learned Sessions Judge, Yamunanagar at Jagadhri convicted the appellant for the aforementioned offence and sentenced him to undergo imprisonment for life.

On the last date of hearing of the appeal, learned counsel for the appellant submitted that the appellant had since expired. In view of the same, learned State counsel requested for an adjournment so as to seek necessary verification of the said fact.

Learned State counsel has produced the affidavit of Inspector Virender Singh, SHO, Police Station Radaur wherein it stands mentioned that he collected the photocopy of the death

certificate of the appellant from his father in the presence of the Sarpanch of the village. Further, Gurnam Singh, father of deceased got recorded his statement and he was identified by Ishwar Singh, Sarpanch of the village. Alongwith the affidavit, photocopy of the death certificate as well as the statement of Gurnam Singh, father of the appellant, have been appended. In the death certificate, the date of death of the appellant has been mentioned as 2.4.2013 and the factum of death registered vide serial No. 861 dated 5.4.2013. In their joint statement, the father of the appellant and Sh. Ishwar Singh, Sarpanch of the village have stated that the appellant died on 2.4.2013. The joint statement of the father of the appellant and the village Sarpanch is duly attested by the SHO, Police Station Radaur.

As the appellant had been sentenced to undergo imprisonment for life only and has died, the appeal abates and is disposed of as such.

**(T.P.S. MANN)
JUDGE**

October 15, 2015
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**(GURMIT RAM)
JUDGE**