

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA, CHANDIGARH

CRM No.13744 of 2015 in/and
CRA No.D-738-DB of 2010 (O&M)
Date of Decision :20.07.2015

Major Singh

.....Appellant

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE S.S.SARON
HON'BLE MR.JUSTICE RAMENDRA JAIN

Present:- Mr.P.S.Brar, Advocate for
the applicant/appellant-Major Singh.

Mr.Arshvinder Singh, Addl.A.G., Punjab.

S.S.SARON, J.

The Criminal Miscellaneous No.13744 of 2015 is listed for hearing today. The applicant-appellant by way of the said criminal miscellaneous had sought suspension of his sentence of imprisonment during pendency of the appeal.

Learned counsel for the State has filed affidavit of Sh.Balkar Singh Bhullar, Superintendent, Modern Central Jail, Faridkot, mentioning the period of imprisonment undergone by the applicant-appellant Major Singh. The same is taken on record.

In terms of the said affidavit, it has been mentioned that applicant-appellant has died on 28.01.2015 at GGS Medical College/Hospital, Faridkot.

The appeal has been filed by appellant-Major Singh

against the judgment and order dated 10.06.2010 passed by learned Sessions Judge, Faridkot., whereby, the appellant was held guilty for the offence punishable under Section 302 Indian Penal Code for committing the murder of Dalip Kaur. By a separate order passed by learned Sessions Judge, Faridkot, on 11.06.2010, the appellant was sentenced to undergo life imprisonment, besides, pay a fine of Rs.10,000/-(Rupees Ten Thousand Only) and in default thereof undergo rigorous imprisonment for 6 months.

In view of the death of the appellant-Major Singh, the appeal is to abate in terms of Section 394 of the Code of Criminal Procedure. The appellant died on 28.01.2015 and none of his near relatives has filed an application so far, for leave to continue the appeal.

Learned counsel for the appellant submits that none of the near relatives or legal representatives are likely to apply for leave to continue with the appeal.

In the circumstances, criminal miscellaneous application seeking suspension of sentence of imprisonment has been rendered infructuous and the appeal is also disposed of as abated.

(S.S.SARON)
JUDGE

(RAMENDRA JAIN)
JUDGE

20.07.2015
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