

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

Crl. Appeal S-785-SBA of 2004
Date of Decision : September 16, 2015

State of Punjab

.....Appellant

VERSUS

Sat Pal Singh

.....Respondent

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

Present : Mr. Vikram Bishnoi, Asstt. A.G., Punjab.

None for the respondent.

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

Respondent-Sat Pal Singh was tried for committing the offences punishable under Sections 279 and 304-A IPC on the allegations that on 16.10.1999 at about 2.00 p.m., he had driven bus bearing registration No. PB-10J-9833 rashly and negligently on a public place and thereby caused the death of one Jatinder Kaushik. Vide judgment dated 26.7.2003, learned Judicial Magistrate 1st Class, Ludhiana while giving the benefit of doubt to the respondent, acquitted him of the charges against him.

Aggrieved of the acquittal of the accused-respondent, the State preferred the present appeal which was admitted on 26.3.2004.

On the last date of hearing i.e. 29.7.2015 when the appeal was taken up for final hearing, none had put in appearance on behalf of the respondent. In view of the same, the Court was constrained to issue bailable warrants against the respondent for today.

As per the office report, the bailable warrants issued upon the respondent has been received back with the report that he has already expired. This fact has been stated by the Chief Judicial Magistrate, Ludhiana in his letter dated 28.8.2015. Further, copy of the death certificate issued by the Local Registrar, Births and Deaths, SHC, Maksudra (Ludhiana) has been appended which indicates that the respondent had died on 26.12.2011.

Once the sole respondent, whose acquittal has been challenged by the State by filing the present appeal, has since expired, the appeal has to abate in terms of the provisions of Section 394 Cr.P.C.

Ordered accordingly.

September 16, 2015
ajay-1

(T.P.S. MANN)
JUDGE