

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.A-1223-MA of 2014

.....

Date of decision:10.12.2015

State of Haryana

...Applicant

v.

Radhey Shyam

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Anmol Malik, Assistant Advocate General, Haryana for the
applicant-State.

None for the respondent.

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Inderjit Singh, J.

The State of Haryana-applicant has filed this criminal miscellaneous application under Section 378(3) Cr.P.C against Radhey Shyam-respondents seeking grant of leave to file appeal against the impugned judgment of acquittal dated 28.2.2014 passed by learned Additional Sessions Judge, Hisar.

It is submitted in the application that the impugned judgment of the learned lower Court is contrary to law and facts and the same is not sustainable in the eyes of law. The applicant-State is filing the accompanying criminal appeal against the judgment of acquittal which is likely to succeed. It has been prayed that this application may be allowed

and the leave to file appeal be granted as contemplated under Section 378(3) Cr.P.C.

Notice of motion has been issued in this case. A report was received that the respondent-Radhey Shyam has died. Copy of the death certificate was also attached which has been forwarded by S.H.O., Police Station City, Hansi.

Keeping in view the fact that the respondent has already died, therefore, the relief claimed in the present application has become infructuous.

Therefore, this application is dismissed being rendered infructuous.

December 10, 2015.

(Inderjit Singh)
Judge

hsp