

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

**Criminal Appeal D-799-DB of 2002
Date of Decision: September 29, 2015**

Jasbir

.....Appellant

Versus

State of Haryana

..... Respondent

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

Present : None for the appellant.

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

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

The aforementioned appeal was filed by the appellant against judgment and order dated 16.9.2002/5.10.2002 passed by learned Sessions Judge, Sonipat, whereby, he was convicted under Section 302 IPC and sentenced to undergo imprisonment for life and to pay a fine of Rs.1,000/-.

On 13.11.2014, when the appeal came up for final hearing, learned counsel representing the appellant submitted that the appellant had since expired. In view of the same, learned State counsel prayed for an adjournment for obtaining verification of the aforementioned fact.

On 13.2.2015, learned State counsel produced the death certificate issued by the Registrar, Births and Deaths, Municipal Council, Sonipat, as per which, the appellant had died on 25.9.2011. Learned State counsel, however, requested for a short adjournment for obtaining proper verification regarding the

aforementioned fact from the local police. Pursuant to the same, reply by way of affidavit of Sh. Mukesh Kumar, HPS, Deputy Superintendent of Police (HQ), Sonipat, has been filed on behalf of respondent-State, wherein, it is mentioned that the factum of death of the appellant has been verified by the police of Police Station City, Sonipat after visiting the area of residents of the appellant. The police also contacted Ms. Munesh Devi, who stated that she was Municipal Councillor of Ward No. 25, Sonipat, where the appellant used to reside. According to her, the appellant died due to heart attack. It has also been mentioned in the reply that the police contacted, Sanjay resident of Ram Nagar, Sonipat, who stated that he knew the appellant very well who died due to heart attack. Along with the reply, copies of the statements of Ms. Munesh Devi and Sanjay have also been appended.

In view of the above, the appeal filed by appellant-Jasbir stands abated and disposed of, accordingly.

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

September 29, 2015
amit rana

**(GURMIT RAM)
JUDGE**