

CRA-S-2315-SB of 2003

Date of decision: 29.04.2015

Nand Singh

....Appellant

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajiv Verma, Advocate
for the appellant.Mr. J.S. Sekhon, AAG, Punjab
for the respondent-State.JASPAL SINGH, J.(ORAL)

The instant appeal had been preferred by Nand Singh-appellant, challenging his conviction of sentence awarded to him vide judgment and order dated February 13, 2003 passed by learned Special Judge, Sangrur whereby he was sentenced to undergo rigorous imprisonment for a period of ten years and fine to the tune of Rs.1,00,000/- and in default of payment of fine, to further undergo rigorous imprisonment for a period of one year. The period of detention already undergone by him during trial etc. was ordered to be set off under Section 428 Cr.P.C. against the substantive sentence so awarded.

During the pendency of appeal before this Court, appellant was reported to have been taken away by nature. Death certificate of Nand Singh was also placed on record. Report with regard to factum of death of Nand Singh-appellant was also called from the respondent-State, in compliance of which, short reply by way of affidavit of Krishan Kumar Panthey, DSP, Dhuri, District Sangrur has been filed by the State.

A glance at the contents of the reply clearly reveals that appellant, resident of Village Bagrian, District Sangrur breaths his last in Civil Hospital, Nabha on September 18, 2009 as per the death certificate prepared by Rajinder Singh, Computer Clerk posted in the Office of Sub Registrar, Births & Deaths, PHC, Nabha. Apart from it, statement of Rajinder Singh, Computer Clerk as well as joint statement of various persons belonging to his Village Bagrian were recorded by SI Satnam Singh, SHO, Police Station City Dhuri, who has concluded that Nand Singh-appellant has left for heavenly abode on September 18, 2009.

In view of the contents of the short reply and the discussion made above, it is crystal clear that appellant-Nand Singh is no more. Consequently, instant appeal stands abated.

April 29, 2015
m. sharma

(JASPAL SINGH)
JUDGE