

CRM-M-23800-2013 (O&M)

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

**CRM-M-23800-2013 (O&M).
Decided on: September 16, 2015.**

Om Parkash

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.L.S.Sidhu, Advocate,
for the petitioner.**

Mr.C.S.Bakshi, Addl. A.G., Haryana.

M.M.S. BEDI, J. (ORAL)

Counsel for the petitioner informs that petitioner has died during pendency of the present petition before framing of charges pursuant to the charge sheet filed by the prosecution agency. He has submitted that merely because of the pendency of the criminal proceedings against Om Parkash his wife and other family members have been denied the retiral benefits.

I have considered the status of the criminal proceedings against the petitioner as well as the prejudice which is being caused to his family on account of pendency of the criminal proceedings against deceased petitioner Om Parkash.

So far as criminal proceedings against Om Parkash are concerned, legally they stand abated with his death. The Court proceedings had not culminated into conviction and he has died

CRM-M-23800-2013 (O&M)

during the period when presumption of innocence under law was in his favour.

Disposed of as having rendered infructuous with above observations. However, disposal of this petition as having rendered infructuous will not, in any manner, prejudice the rights of the family members of the petitioner to claim legal rights accruing to the petitioner from the services of Om Pakash in accordance with law. Petition is permitted to be withdrawn de hors the merits of the case.

(M.M.S.BEDI)
JUDGE

September 16, 2015.
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