

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

CRM-M No. 22857 of 2014
Date of Decision : 6.7.2015

Veena AtwalPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present:- Mr. Abhijat Partap, Advocate, for
Mr. Gopal Sharma, Advocate, for the petitioner

Mr. Yogesh Gupta, AAG, Punjab

Surinder Gupta, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 7.8.2013 passed by the learned Additional Sessions Judge, in Criminal Appeal No. 58 dated 10.5.2012 that it stood abated on account of death of the appellant.

Heard. Darshan Singh son of Jagjit Singh was convicted by the trial Court vide judgment and order of sentence dated 12.4.2012 for offences punishable under Sections 409, 467, 468, 471, 420 and 120 B IPC and was sentenced for various periods of rigorous imprisonment.

It is submitted that Darshan Singh died on 24.4.2013 and the appeal was disposed of as abated vide order dated 7.8.2013 passed by the Appellate Court. The petitioner, who is wife of the deceased, moved an application to allow her to get the appeal decided on merits but the same was allowed to be withdrawn to enable her to file this petition vide order dated 24.3.2014.

Under Section 394 Cr.P.C. the petitioner is competent to get the decision of the appeal filed by Darshan Singh (deceased) on merits. She is granted leave to continue the appeal. Accordingly, this petition is allowed. The appellate Court is directed to take up the appeal filed by Darshan Singh (deceased) bearing case No. 202400064062013 and decided the same on merits.

(SURINDER GUPTA)
JUDGE

6.7.2015
Ashwani