

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 386 OF 2016  
IN  
CRIMINAL APPEAL NO. 1052 OF 2002

|                               |                 |
|-------------------------------|-----------------|
| Smt. Indubai Janardan Lonare. | ... Applicant.  |
| Janardan Ramchandra Lonare.   | ... Deceased.   |
| Versus                        |                 |
| State of Maharashtra          | ... Respondent. |

|                                  |                 |
|----------------------------------|-----------------|
| WITH                             |                 |
| CRIMINAL APPEAL NO. 1052 OF 2002 |                 |
| State of Maharashtra             | ... Appellant.  |
| Versus                           |                 |
| Janardan Ramchandra Lonare.      | ... Respondent. |

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Ms. Sujata V. Phanshe i/b. Mr. C.P. Sengaonkar, advocate for applicant.

Mrs. A.A. Mane, APP for State.

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**CORAM : SMT. SADHANA S. JADHAV,J**  
**DATE : MARCH 30, 2016**

**P.C.:**

1 Heard the learned Counsel for the applicant and the learned  
APP for State

2 The applicant herein has filed this application to bring it to the notice of the Court that the respondent in Criminal Appeal No. 1052 of 2002 has expired on 25<sup>th</sup> April, 2015. The death certificate issued by Sinnar Municipal Council Sinnar is annexed to the application.

3 The appeal is filed by the State of Maharashtra challenging the Judgment and Order passed by the Special Judge acquitting the respondent in the appeal of the charges punishable under Section 7 and 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988 in Special Case No. 15 of 1996 vide Judgment and Order dated 30<sup>th</sup> March, 2002. Since the appeal was admitted, the respondent would not be entitled to the pensionary benefits and other service benefits. Now that the respondent has expired, the appeal would become infructuous. The legal heirs do not wish to continue with the appeal as the accused has been acquitted of all the charges. Consequences of acquittal would entitle the legal heirs to all service

benefits to which the respondent/Janardan Lonare would be entitled to.

4 Learned APP submits that upon death of the respondent Janardan Lonare, the appeal would become infructuous.

5 In view of the above, the application is allowed in terms of prayer clause (a) and disposed of accordingly.

6 In view of the above, the Criminal Appeal No. 1052 of 2002 stands abated as against the sole respondent Janardan Ramchandra Lonare. The appeal is disposed of accordingly.

**(SMT. SADHANA S. JADHAV,J)**