

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

Crl. Appeal S-1207-SB of 2000
Date of Decision : January 06, 2016

Labh Chand

.....Appellant

VERSUS

State of Haryana

.....Respondent

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

Present : None for the appellant.

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

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

The appellant has filed the present appeal against the judgment and order dated 16/17.11.2000 passed by learned Additional Sessions Judge, Sirsa whereby he was convicted under Section 411 IPC and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs. 1,000/- and in default of payment of fine, to undergo further imprisonment for a period of six months.

As the appellant was on bail during the trial of the case and was awarded imprisonment for one year and had also deposited the amount of fine imposed upon him, he was granted interim bail by the learned trial Court so as to enable him to file an appeal against his conviction and sentence. The appeal came to be admitted on 8.12.2000 and the appellant was granted the concession of bail during the pendency of the appeal.

On 1.7.2015 when the appeal was taken up for final hearing, learned counsel representing the appellant informed the Court that the appellant had since passed away. In order to verify the said fact, learned State counsel sought an adjournment and on the adjourned date he placed on record the death certificate issued by the Sub Registrar, Births and Deaths, Shimla. However, learned State counsel requested for a short adjournment for obtaining necessary verification.

Affidavit of Shri Satya Pal, Deputy Superintendent of Police, Dabwali, District Sirsa has been filed wherein it is mentioned that the factum of death of the appellant having taken place on 2.7.2012 stands duly verified. Alongwith the affidavit, he has placed on record photocopy of the death certificate.

Once the appellant has died and at the time of his conviction and sentence, he had deposited the fine imposed upon him, the present appeal filed by him which survives qua challenge to imprisonment only, stands abated.

Disposed of as such.

January 06, 2016
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(T.P.S. MANN)
JUDGE