

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

**Criminal Appeal No.D-517-DB of 2004 (O&M)
Date of decision : 3.12.2016.**

Gurmukh Singh

..... Appellant

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR.JUSTICE S.S.SARON
HON'BLE MR. JUSTICE ARUN PALLI**

Present : None for the applicant/appellant.

Ms. Ritu Punj, Addl. A.G. Punjab.

S.S.Saron, J.

The appeal has been filed by Gurmukh Singh, against the judgment and order dated 17.02.2004, passed by the learned Sessions Judge, Amritsar, whereby he has been convicted for the offence under Section 302 of the Indian Penal Code ('IPC' - for short) and sentenced to undergo life imprisonment, besides, pay a fine of Rs.500/- and in default of payment of fine, undergo rigorous imprisonment for a period of three months. The appeal was admitted in this Court on 28.05.2004. The appellant was granted bail by this Court on 5.2.2009.

Learned counsel for the State has filed affidavit dated 30.11.2016 of Sh. Manjeet Singh Sidhu, PPS, Deputy Superintendent, Central Jail, Patiala mentioning the period of imprisonment undergone by the appellant Gurmukh Singh.

According to the said affidavit, the appellant had undergone actual imprisonment of seven years, four months and thirteen days as on 18.2.2009 when he was released on bail in consequence of the order passed by this Court. It is also stated that the appellant earned remissions of six years, eleven months and eleven days during this period. The imprisonment undergone by the appellant by including his remissions is mentioned as fourteen years, three months and twenty-four days.

According to the office note, the appellant has died. No near relative of the appellant has applied for leave to continue the appeal in terms of the proviso to Section 394 of the Code of Criminal Procedure.

In the circumstances, the appeal stands abated in terms of Section 394 of the Code of Criminal Procedure.

Accordingly, the criminal appeal is disposed of as having abated.

(S.S. SARON)
JUDGE

3.12.2016
Manoj Bhutani

(ARUN PALLI)
JUDGE

<u>Note:</u>	1.	Whether speaking/reasoned	:	Yes/No
	2.	Whether reportable	:	Yes/No