

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

Crl. Appeal S-1571-SB of 2004
Date of Decision : October 18, 2016

Piara Singh	VERSUS	Appellant
Punjab State and others		Respondents

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

Present : None for the appellant.

Mr. Vikram Bishnoi, Asstt. A.G., Punjab
for respondent No.1-State.

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

The appellant had filed the present appeal for challenging the judgment and order dated 17.7.2004 passed by the learned Special Judge, Amritsar, whereby he stood convicted under Section 3(1)(x) the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sentenced to undergo rigorous imprisonment for a period of six months and to pay a fine of Rs.300/- and in default of payment of fine, to further undergo rigorous imprisonment for a period of fifteen days.

After being convicted and sentenced by the learned trial Court, the appellant had filed an application for suspension of sentence and for releasing him on bail in order to enable him to file an appeal against his conviction and sentence. The fine imposed was duly deposited by him. Accordingly, he was released on bail and within the prescribed period, filed the present

appeal and obtained further order regarding suspension of the sentence during its pendency.

On the last date of hearing, the Court after going through the Office report that the counsel representing the appellant has since been taken as a judge in the lower judiciary, issued notice to the appellant so as to enable him to make necessary arrangements for his representation in the appeal. As per the Office report, the notice issued to the appellant has been received back with the report that he has since died.

Once the appellant had deposited the fine amount imposed upon him by the trial Court, his challenge in the present appeal mainly remained confined to the sentence of imprisonment. The appellant has since died. None of his near relatives has approached this Court in order to seek leave to continue the appeal. Under these circumstances, this Court has no other option but to dispose of the appeal as having abated.

Ordered accordingly.

October 18, 2016

amit rana

**(T.P.S. MANN)
JUDGE**

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No