

\$~4

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 2824/2011

SANTOSH

..... Petitioner

Represented by: Mr.Jai Bansal, Adv.

versus

STATE GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Represented by: Mr.G.M.Farooqui, APP for the
State with SI Sushil Kumar, PS
Tilak Marg, New Delhi.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

%

16.02.2016

1. Vide the present petition under Section 482 of the Cr P C, petitioner seeks direction thereby setting aside the impugned order dated 09.03.2011 passed by learned Additional Sessions Judge in Criminal Appeal No.31/2010 whereby the appeal of respondent No.2 was allowed. Consequently, the relief granted in favour of petitioner vide order dated 26.02.2010 has been set aside.

2. On the last date of hearing i.e. 15.01.2016 it was informed by learned counsel for respondent No.2 that petitioner has expired. Since, learned counsel appearing on behalf of petitioner is a legal aid counsel, therefore, he had no information about the death of petitioner. Accordingly, the State was directed to verify the death factum of petitioner.

3. Vide status report dated 16.02.2016 filed on behalf of the SHO,

PS Tilak Marg, New Delhi, whereby the death of petitioner has been confirmed. It was further directed to file status report incorporating therein the particulars of legal heirs of deceased petitioner.

4. To this effect, the SHO concerned has tried his level best to get the information regarding legal heirs of deceased petitioner. However, there is no clue having been found about her legal heirs.

5. In view of above, though the petition has become infructuous with the death of petitioner, however in case any legal heirs come forward and wish to contest the petition, the said legal heirs are at liberty to move the appropriate application to revive the petition.

6. In above terms, instant petition stands disposed of.

SURESH KAIT, J

FEBRUARY 16, 2016

M

CRL.M.C. 2824/2011

Page 2 of 2