

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 137 OF 2003

Union of India .. Appellant
(at the instance of Asstt. Director
of Enforcement Directorate Janmabhoomi
Chambers, Govt. of India, Mumbai

Vs.

Pukhraj Miyachand Jain & Anr. .. Respondents

...
Ms. Rebecca Gonsalves for the Appellant.
Mr. P.H. Gaikwad, APP for the State.
Mr. Rajendra Sorankar for the Respondent No.1.

**CORAM : SMT. BHARATI H.DANGRE, J.
DATE : 6th JULY 2017.**

P.C. :

1. Ms. Rebecca Gonsalves appears on behalf of Union of India. Mr. Rajendra Sorankar appears for the respondent No.1 and Public Prosecutor for the State. It is informed that respondent No.1 Pukhraj Miyachand Jain had expired on 28th June, 2016. The counsel for respondent No.1 was directed to place on record the death certificate issued by the competent authority. Today, the counsel for the respondent No.1 has placed on record the death certificate issued by the Health Department of Government of Maharashtra which is issued on 20th July, 2016 certifying that Mr. Pukhraj Miyachand Jain R/o B-111, Unique APT P.P.Marg, Virar (W) has expired on 28th June, 2016 at the above given address. The said certificate is taken on record and marked as "X" for identification.

2. The present appeal has been preferred by the Union of India against the order of acquittal passed by the court below for the offence punishable under Sections 8(1) and 8(2) r/w Section 56(1)(i) of the Forest Exchange Regulation Act, 1973. Since the respondent No.1 was the sole accused in the said proceeding and on his death the Appeal stands abated.

(SMT. BHARATI H.DANGRE, J.)