

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.33 OF 2003

SHAFIQUE ALI

)...APPELLANT

V/s.

STATE OF MAHARASHTRA (AT INST. CBI))...RESPONDENT

Mr.Arun Rajput i/b. Ms.Anjali Patil, Advocate for the Applicant.

Mrs.M.R.Tidke, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 15th FEBRUARY 2017.

P.C. :

1 This is an appeal by convicted accused no.2
challenging the judgment and order of conviction and sentence
passed by the learned trial court.

2 Heard learned advocate Mr.H.S.Venegaonkar,
appearing for the respondent / CBI. He drew my attention to the
report of the CBI mentioning that the appellant / accused died
during pendency of the appeal.

3 Perused the report submitted by the Judge, Bombay City Civil and Sessions Court, Greater Bombay, Mumbai, dated 31st January 2017. It is reported that the Superintendent, CBI/ACB, Mumbai, filed a report dated 3rd January 2017 before that court along with copy of the Death Certificate and Verification Report of the Death Certificate of appellant / accused, reporting that the appellant / accused died on 1st December 2012. Perused report dated 3rd January 2017 of the Officer of the CBI addressed to the Superintendent of Police, CBI, as well as copy of the Death Certificate showing that appellant / original accused no.2 died on 1st December 2012.

4 In this view of the matter, the appeal stands abated and it be consigned to record.

(A. M. BADAR, J.)