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

CRA-D-240-DB-2005

Date of Decision : April 18,2017

Shamraj

.... Appellant

Versus

State of Haryana

.... Respondent

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE [DR.] SHEKHER DHAWAN**

Present Mr. Gaurav Verma, Advocate,
for the appellant.

Mr. G.S.Wasu, Addl. A.G. Haryana,
for the respondent-State.

SHEKHER DHAWAN, J.

Learned counsel for the appellant submitted that Shamraj, the sole appellant has died and thus, the present appeal has abated. Accordingly, learned State Counsel was directed to place on record death certificate of appellant, Shamraj.

2. Learned State Counsel has placed on record a copy of the Death Certificate dated 23.09.2015 [Annexure R-1] alongwith affidavit of Rajbir Singh, Inspector, SHO Police Station, Gharaunda, District Karnal to the effect that Shabraj son of Khadak Singh, resident of Pipal Khera, District Muzaffar Nagar has died and in the Death Certificate, his name has been

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mentioned as Shabraj son of Khadak Singh. Further, in the revenue record [Annexure R-II], the name of the appellant “has been mentioned as Shabraj s/o Sh. Khadak Singh” In para No. 3 of the affidavit, it has been mentioned as under:-

“3. That as per name mentioned in the record of FIR and death certificate, both are of the same person as per death certificate and Revenue Record. Thus, the appellant in the present case is actually Sahabraj as per his death certificate and not Shamraj. This said Sahabraj is the same person who had been convicted in the present appeal.”

In view of the above, the appeal filed by appellant stands abated under Section 394 Cr. P.C.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

April 18, 2017
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No