

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

Crl. Appeal S-143-SB of 2005
Date of Decision : March 20, 2017

Vijay @ Dhare	VERSUS	Appellant
State of Haryana		Respondent

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

Present : Mr. Bahadur Singh, Advocate
for the appellant.

Mr. Ashok S. Chaudhary, Addl. A.G., Haryana.

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

Judgment dated 24.11.2004 and order dated 25.11.2004 passed by the learned Additional Sessions Judge (Fast Track Court) Bhiwani stood challenged by the appellant in the present appeal.

Vide impugned judgment and order, the trial Court convicted the appellant under Section 399 IPC and sentenced him to undergo rigorous imprisonment for six years and to pay a fine of Rs.500/- and in default of payment of fine, to further undergo simple imprisonment for two months. He was also convicted under Section 402 IPC and sentenced to undergo rigorous imprisonment for four years and to pay a fine of

Rs.500/- and in default of payment of fine, to further under simple imprisonment for two months. Both the sentences were ordered to run concurrently.

At the outset, learned State counsel has placed on record the custody certificate, wherein, it is mentioned that the appellant expired in an accident on 5.8.2007, when he was out on parole from District Jail, Bhiwani. The said fact has been stated by the Superintendent of Police, Bhiwani, in his letter No. 12064 dated 22.8.2007. Alongwith the custody certificate photocopy of the aforementioned letter has also been appended.

Learned counsel for the appellant submits that after the death of the appellant, none of his near relatives has approached him for pursue the appeal further and, therefore, the present appeal may be disposed of as having abated.

Ordered accordingly.

March 20, 2017
amit rana

(T.P.S. MANN)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No