

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

Crl. Misc. A-791-MA of 2017
Date of Decision : August 24, 2017

State of Haryana

.....Applicant

VERSUS

Ashwani @ Raday

.....Respondent

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present : Mr. Kapil Aggarwal, Addl. A.G., Haryana.

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

The present application under Section 378(3) Cr.P.C. has been filed by the State seeking grant of leave to appeal against the judgment dated 17.3.2016 passed by learned Additional Sessions Judge, Karnal whereby the accused/respondent stood acquitted of the charges under Sections 307, 324 and 452 IPC.

The application had come up for preliminary hearing on 11.7.2017 when after hearing learned State counsel, the Court issued notice of motion and trial Court record was requisitioned.

As per the office report, trial Court record has been received. However, it has been mentioned that the respondent has since died and, accordingly, notice could not be served upon him.

Learned State counsel, after obtaining instructions from ASI Ved Pal, Police Station Indri, has apprised the Court that the accused/respondent died on 18.4.2016 in a road accident which information has been collected from Lakhwinder Singh, brother-in-law of the accused/respondent.

Once the accused/respondent has died, the present application filed by the State seeking leave to appeal against his acquittal, abates and is, accordingly, disposed of.

**(T.P.S. MANN)
JUDGE**

August 24, 2017
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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No