

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 184 of 2010**

Dashrath, S/o Jai Singh, aged about 25 years, Panter, R/o Village-
Bade Parakot, P.S.- Phejarpur, District- Bastar (C.G.) ---- **Appellant**

Versus

State of Chhattisgarh, Through Incharge Police Station Phejarpur,
District- Bastar (C.G.). ---- **Respondent**

For Appellant : Mrs. Usha Chandrakar, Advocate.
For State/respondent : Mr. Vinod Kumar Tekam, PL.

Hon'ble Shri Justice Ram Prasanna Sharma**Judgment On Board****06/12/2018**

1. This appeal is preferred under Section 374(2) of the Code of Criminal Procedure, 1973 against judgment dated 20.01.2010 passed by First Additional Sessions Judge, Basta at Jagdalpur (C.G.) in Session Trial No. 84/2009, wherein the said court convicted the appellant for commission of offence under Sections 376 & 506 (Part-II) of IPC, 1860 and sentenced to undergo R.I. for 7 years and fine of Rs. 3000/- and R.I. for 1 year and fine of Rs. 500/- respectively with further default stipulation.
2. As per report of Jail Superintendent, Central Jail, Jagdalpur (C.G.) vide memo No. 8971/warrant/2018 dated 15.11.2018, the sole appellant- Dashrath has died on 24.04.2010 during treatment at Maharani Hospital, Jagdalpur.
3. Learned State counsel confirmed the report.
4. In view of the above, as any near relative did not file any application on behalf of the appellant to continue the appeal, the instant Criminal Appeal is finally abated on account of death of the appellant and proceeding of this Court is culminated due to death of the sole appellant.
5. Accordingly, the appeal is disposed of as abated.

Sd/-
(Ram Prasanna Sharma)
Judge