

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.647 OF 1997

MOHAMED RAFIQ MOHAMAD AZIZ ANSARI)...APPELLANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

None for the Appellant.

Mr.Prashant Jadhav, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 6th APRIL 2018

P.C. :

1 This is an appeal by original accused no.2 Mohamed Rafiq Ansari challenging his conviction for the offence punishable under Section 324 read with 34 of the Indian Penal Code and the resultant sentence, awarded by the learned Additional Sessions Judge, Greater Bombay, Mumbai, vide judgment and order dated 17th September 1997 passed in Sessions Case No.692 of 1993 and Sessions Case No.704 of 1994.

2 On 16th May 2017, when the appeal was listed for hearing, the learned Advocate for the appellant had stated that she could not establish contact with her client. Therefore, this court vide order dated 16th May 2017, had ordered issuance of court service notice to the appellant in the instant case as well as to appellants in connected matters.

3 Subsequently, the learned Public Prosecutor had informed that appellant/accused Mohamed Rafiq Ansari has expired. Senior Police Inspector of Deonar Police Station, Mumbai, had also submitted report dated 3rd July 2017 to that effect. Today, the learned APP has submitted photocopy of the Death Certificate of appellant/accused Mohamed Rafiq Ansari and submitted that appellant/accused Mohamed Rafiq Ansari passed away on 30th March 1998. The photocopy of the Death Certificate is marked as Exhibit “X” for the purpose of identification.

4 As the sole appellant/accused no.2 expired during pendency of his appeal, the appeal stands abated and is consigned to record.

(A. M. BADAR, J.)