

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SMT. JUSTICE T. RAJANI**

CRIMINAL APPEAL No.1040 of 2011

JUDGMENT: (ORAL)

(Per Suresh Kumar Kait, J)

Appeared none on behalf of the appellant on the last two consecutive occasions. So is the position today.

Learned counsel appearing on behalf of the respondents submits that incident has occurred on 19.11.2004 and the amendment came in the year 2009; therefore, the present appeal is not maintainable.

We find force in the submission of the learned counsel for the respondents.

Accordingly, the appeal is dismissed as not maintainable.

As a sequel, miscellaneous petitions if any pending in the appeal stand closed.

SURESH KUMAR KAIT, J

T. RAJANI, J

May 1, 2018
MRR