

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

CRA D-150-DBA of 2004

Date of Decision : May 23, 2018

State of Punjab

.....Appellant.

Versus

Baldev Singh @ Debi

.... Respondent

**CORAM : HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present : Mr. Jagmohan Ghumman, Deputy A.G., Punjab.

None for the respondent.

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

The State has filed the present appeal for challenging the judgment dated 13.3.2003 passed by learned Sessions Judge, Moga, whereby, the accused/respondent was acquitted of the charge under Section 18 of the the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned State counsel after obtaining instructions from ASI Balbir Singh has placed on record the report by way of affidavit of Sub-Inspector Jatinder Singh, Station House Officer,

Police Station South City, Moga. Alongwith the same, photocopy of the death certificate of the respondent stands appended.

A perusal of the report placed on record by the learned State counsel reveals that the sole appellant died on 8.8.2016. In this regard, the statement of Gurmeet Kaur, wife of the respondent was recorded and she also stated about her husband expiring on 8.8.2016. She also presented photocopy of the death certificate, which has been appended with the report as annexure R-1.

It being an appeal against acquittal and the sole accused/respondent, i.e. Baldev Singh having died, the appeal is to abate in view of the provisions of Section 394 Cr.P.C.

The appeal is hereby dismissed as having abated.

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

May 23, 2018
amit rana

**(FATEH DEEP SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No