

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

Crl. Appeal D-198-DBA of 2005
Date of Decision : February 22, 2018

State of Punjab

.....Appellant

VERSUS

Bhinder Singh @ Binda

.....Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sarabjit Singh Cheema, Asstt. A.G., Punjab.

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

Instant appeal has been filed by the State for challenging the judgment dated 24.7.2004 passed by learned Additional Sessions Judge, Bathinda whereby the sole accused, namely, Bhinder Singh @ Binda son of Karnail Singh stood acquitted of the charge under Section 302 IPC.

On the last date of hearing, learned State counsel, after obtaining instructions informed the Court that the sole accused, namely, Bhinder Singh @ Binda, who is respondent herein, expired on 25.2.2012. He placed on record attested copy of the death certificate. However, he requested for an adjournment so as to place on record the report of the Station House Officer concerned.

Learned State counsel has produced the report of Inspector Rashpal Singh No. 29/FDR, SHO, Police Station Nathana, District Bathinda, as per which the factum of death of the sole respondent having taken place on 25.2.2012 stands duly verified.

It being an appeal by the State against the acquittal and the sole accused/respondent has died, the appeal has to abate in terms of the provisions of Section 394(1) Cr.P.C.

Disposed of as such.

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

February 22, 2018
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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No