

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

Crl. Appeal S-1239-SB of 2005
Date of Decision : January 12, 2018

Ashok Kumar

.....Appellant

VERSUS

State of Haryana

.....Respondent

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

Present : None for the appellant.

Mr. Praveen Bhadu, Asstt. A.G., Haryana.

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

The appellant was tried for committing the offences punishable under Sections 379, 323, 333 and 353 IPC. Vide judgment and order dated 18.7.2005, learned Additional Sessions Judge, Jagadhri acquitted him of the charges under Sections 323 and 379 IPC. However, he was convicted under Section 333 IPC and sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.2,000/- and in default of payment of fine, to suffer further rigorous imprisonment for six months. He was also convicted under Section 353 IPC and sentenced to undergo rigorous imprisonment for six months. Both the sentences were ordered to run concurrently.

On the last date of hearing, learned counsel for the appellant had informed the Court that as per his instructions, the appellant had died on 24.3.2016.

Learned State counsel has produced the report prepared by ASI Nirmal Singh, Police Post Gandhi Nagar, Yamuna Nagar, as per which the factum of death of the appellant having taken place on 24.3.2016 stands duly verified. Alongwith the report, attested copy of the death certificate has been appended.

None has put in appearance for the appellant nor any application has been filed by any of the near relatives of the appellant seeking permission for leave to continue the appeal. It appears that as the appellant has died, none of his relative is interested for arguing the appeal.

In view of the above, the appeal is rendered infructuous and, accordingly, disposed of.

January 12, 2018
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(T.P.S. MANN)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No