

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

Criminal Appeal S-317-SB of 2005

Date of Decision: April 27, 2018

Navlesh	Versus	Appellant
State of Haryana		 Respondent

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

Present : None for the appellant.

Mr. Kapil Aggarwal, Addl. A.G., Haryana.

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

The instant appeal was filed by accused Navlesh, who was tried and convicted under Section 308 IPC by Additional Sessions Judge, Faridabad and sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.1,000/- and in default of payment of fine, to undergo further rigorous imprisonment for two months. He was further convicted under Section 323 IPC and sentenced to undergo rigorous imprisonment for three months. He was also convicted under Section 506 IPC and sentenced to undergo rigorous imprisonment for one year. The sentences passed on all the three

counts were ordered to run concurrently.

After being convicted and sentenced, the appellant had deposited the fine of Rs.1,000/- and filed an application for *interim* bail so as to enable him to prefer an appeal against his conviction and sentence. He was granted *interim* bail upto 4.3.2005.

The appeal filed by the applicant against his conviction and sentence came to be admitted on 15.2.2005 and his *interim* bail was made absolute subject to furnishing of fresh bonds.

When the appeal came up for final hearing on 17.4.2017, learned counsel for the appellant apprised the Court that the appellant, who had been residing in village Maheshi, Police Station Maheshi, District Saharasa (Bihar), after being granted the concession of suspension of his sentence, had expired on 9.4.2017.

Learned State counsel has placed on record the report prepared by Incharge, Police Post, Sector 21-D, Police Station NIT, Faridabad dated 17.3.2018, wherein, it has been mentioned that the factum of death of the appellant having taking place on 9.4.2017 stood duly verified. Alongwith the said report, copy of the death certificate as well as of the Aadhaar card have been appended.

On the last three dates of hearing, whenever the appeal is taken up for hearing, none appeared for the appellant.

The appellant is no more nor any application has been filed by any of his near relatives for leave to continue the appeal and, resultantly, the appeal will have to be disposed of having abated.

Ordered accordingly.

April 27, 2018
amit rana

(T.P.S. MANN)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No