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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 822/2004**
JOGINDER SINGH Appellant
Through: Mr. Roshan Lal Saini, Adv.

versus

STATE Respondent
Through: Ms. Kusum Dhalla, APP for State
with SI Bharat, PS Sabzi Mandi.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA
ORDER
% **05.06.2018**

Pursuant to proceedings dated 04.06.2018, the nominal roll has been received from the Superintendent Jail, Central Jail No.10, Tihar, New Delhi indicating that the appellant as on 17.09.2005 had undergone incarceration of a period of one year, four months and nineteen days out of the Rigorous Imprisonment of seven years and a fine of Rs.5000/- and in default of payment of the said fine, to a period of six months of Simple Imprisonment as imposed vide the impugned order on sentence dated 30.04.2004 in relation to FIR No.519/1998, PS Sabzi Mandi qua the commission of the offence punishable under Sections 304 (Part-II) Indian Penal Code, 1860.

The State has also submitted the certificate of death as issued by the Sub-Registrar (Birth & Death), Civil Lines Zones, MCD indicating the demise of the appellant Joginder Singh, s/o Shri Sujan Singh on the date 02.04.2006 along with the information issued by

Sujan Singh, father of the appellant dated 16.05.2006 as issued to the SHO, Sabzi Mandi Barfkhana, Delhi reporting the demise of the appellant on the date 02.04.2006. The Investigation Officer affirms that the appellant is the same person qua whom the death certificate has been placed on record.

In view thereof, the proceedings against the appellant in relation to FIR No.519/1998, PS Sabzi Mandi qua the offence punishable under Sections 304 (Part-II) Indian Penal Code, 1860 in the instant case abated.

The surety of the appellant is discharged.

ANU MALHOTRA, J

JUNE 05, 2018

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