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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CRL.A. 316/2005

SHEIKH SALEEM ..... Appellant

Through: Mr. Saurabh Soni, Advocate.

versus

STATE ..... Respondent

Through: Ms. Aasha Tiwari, APP for State with SI Manoj Kumar, P.S. Jahangir Puri, Delhi.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

O R D E R

% 15.06.2018

In terms of proceedings dated 12.06.2018 on behalf of the State has been submitted a verification report under the signatures of the SHO, P.S. Jahangir Puri, Delhi, Inspector Tejpal Singh to the effect that the convict i.e. Sheikh Salim @ Kallu @ Kayum Khan @ Kayum has expired on 20.04.2012. As per the death certificate annexed as Annexure-A issued by the Sub-Registrar (Birth & Death), Civil Lines Zone, North Delhi Municipal Corporation with the address shown as C-5/310 J.J. Colony Bhalswa Delhi-42 and the copy of the Aadhar Card of the said convict having been annexed with the statement recorded of Noorbano, the wife of the deceased/convict stating to the effect that the original name of her spouse Md. Saleem @ Kallu was Kayum Khan and that he has since expired and that they earlier used to reside at C-126, Jahangir Puri, Delhi which was the previous address of the convict and had shifted to Bhalswa Dairy, Delhi where

she was even as on the date 14.06.2018 living with her children. With the said verification report is also annexed the statement of Mohd. Muntiaz, the uncle of the deceased/convict and also the statement of Allah Min, who is now residing at House No. C-126, Jahangir Puri, Delhi, the previous address of the deceased convict indicating that the said premises have been purchased Jarif by Allah Min from the father of the deceased/convict.

Taking into account the circumstances put forth through the verification report, it is apparent that the appellant/convict has since expired on 20.04.2012 and thus as no legal representatives of the appellant have come forth to seek the continuation of the appeal within the period of 30 days of his demise in terms of Section 394 (2) and the proviso thereto, the appeal abates.

ANU MALHOTRA, J

JUNE 15, 2018
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