

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 958 of 2003**

Udal Say, S/o Pitambar Gond, aged 36 years, R/o Village-Karampur, P.S.- Vishrampur, District- Surguja (C.G.)

---- Appellant

Versus

The State of Chhattisgarh, through P.S.- Vishrampur, District-Surguja (C.G.)

---- Respondent

For Appellant : None.

For State/respondent : Mr. Afroj Khan, Panel Lawyer.

Hon'ble Shri Justice Ram Prasanna Sharma**Judgment On Board**

22/10/2019

1. This appeal is preferred under Section 374(2) of the Code of Criminal Procedure, 1973 against judgment dated 27.08.2003 passed by Sixth Additional Sessions Judge (FTC), Surajpur, District- Surguja (C.G.) in Session Trial No. 111/2003, wherein the said court convicted the appellant for commission of offence under Section 304 (Part-II) of IPC, 1860 and sentenced to undergo R.I. for 5 years.
2. The bailable warrant issued by this Court vide order dated 19.09.2019 is returned with a note that the appellant is died on 29.10.2017. A certificate issued by Statical department of Government of Chhattisgarh is also annexed with the report.
3. Learned State counsel confirmed the report.
4. In view of the above, as any near relative did not file any application on behalf of the appellant to continue the appeal, the instant Criminal Appeal is finally abated on account of death of the appellant and proceeding of this Court is culminated due to death of the sole appellant.
5. Accordingly, the appeal is finally disposed of as abated.

Sd/-
(Ram Prasanna Sharma)
Judge