

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 118 of 2009**

Ashok Kumar Tandon, S/o Chandu Tandon, Aged about 32 years,
Labourer, R/o Village- Magarghanta, P.S. Nandghat, District- Durg
(C.G.)

---- Appellant

Versus

State of Chhattisgarh, Through P.S.- Nandghat, District- Durg (C.G.)

---- Respondent

For Appellant : Ms. Anjali Singh Chouhan, Advocate.

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

Hon'ble Shri Justice Ram Prasanna Sharma

Judgment On Board

04/02/2019

1. This appeal is preferred under Section 374(2) of the Code of Criminal Procedure, 1973 against judgment dated 30.01.2009 passed by Additional Sessions Judge (FTC), Bemetara, District- Durg (C.G.) in Session Trial No. 259/2006, wherein the said court convicted the appellant for commission of offence under Section 307 of IPC, 1860 and sentenced to undergo R.I. for 10 years and fine of Rs. 2000/- with further default stipulation.
2. As per report dated 11.10.2018 of Jail Superintendent, Central Jail, Durg (C.G.), the sole appellant- Ashok Kumar has died on 09.09.2010 during treatment at Mekahara Hospital.
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