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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 341 OF 1996

Mr. R. N. Koppikar,
Intelligence Officer,
Narcotic Control Bureau,
Bombay

... Appellant

Vs.

Bakul Nemchand Shah & Ors.

... Respondents

Mr. Hiten S. Venegaonkar a/w Ajay Bhise, Vinit Vaidya, Tejas
Dhotre, Ms. Vaidehi Pusalkar, for the Appellant.

Mr. Aniket Nikam, Amicus Curiae.

**CORAM : INDRAJIT MAHANTY, &
SARANG V. KOTWAL, JJ.**

DATE : MARCH 7, 2019

PC :

1. Heard the learned counsel appearing on behalf of the Appellant - Narcotic Control Bureau, Bombay. This appeal has been filed seeking to challenge the judgment and order of acquittal passed in NDPS Special Case No. 33 of 1993, by the learned Special Judge, Greater Bombay, dated 13.2.1996.

2. On perusal of the record of the proceedings, it appears that by an order dated 23rd March, 1999, the appeal against Respondent No. 2 Shyam Bavdu Bavdane was abated in view of the fact that he has passed away. Today, the learned counsel

appearing for the Appellant has produced the death certificate of Respondent No. 1 Bakul Nemchand Shah, obtained from the Municipal Corporation, Greater Bombay, it is taken on record and marked "X" for identification. Therefore, appeal against Respondent No. 1 is also abated. Since the appeal against both the accused (Respondent No. 1 and the Respondent No. 2 herein) is abated, present appeal is disposed of as abated.

3. Learned amicus curiae, appointed by this Court, may be paid his entitlement as per rules.

Sd/-

[SARANG V. KOTWAL, J.]

Sd/-

[INDRAJIT MAHANTY, J.]

Vinayak Halemath