

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 420 OF 2002

Imtiyaz Yusuf Shaikh

...Appellant

Versus

The State of Maharashtra

...Respondent

Ms. Tarannum G. Khan i/b. Mr. Shailesh Kantharia for Appellant.
Mr. V.B. Konde-Deshmukh, APP for Respondent – State.

CORAM : S. S. SHINDE &
PRITHVIRAJ K. CHAVAN, JJ.

DATE : 4th DECEMBER 2019

PER COURT :

1. This appeal is filed by Appellant Mr. Imtiyaz Yusuf Shaikh. Brother of the Appellant namely Nausha Azim Mohd. Kasim Ansari has placed information on record that, during the pendency of this appeal Appellant Mr. Imtiyaz Yusuf Shaikh died on 06.04.2010. Photocopy of the death certificate issued by Municipal Corporation, Greater Mumbai has placed on record.

2. Learned APP appearing for State has tendered across the bar a letter written by Senior Police Inspector, Sir J J Marg Police Station, Mumbai

on 04.12.2019 addressed to this Court. In fact, it would have been appropriate for the concerned police officer to send the letter to the office of Public Prosecutor and not to this Court. Be that as it may, the said letter is accompanied with the copy of the letter written by Health Officer of Municipal Corporation, Greater Mumbai addressed to the Senior Police Inspector, Sir J J Marg Police Station, Mumbai, a copy of the death certificate and photo copy of extract from the Municipal Registry showing entry taken about death of Appellant, is also attached with the report submitted by the police inspector, same is taken on record and marked as 'X' for identification.

3. In that view of the matter and keeping in view the report submitted by the Police Inspector, Sir J J Marg, Police Station, Mumbai that Appellant died on 06.04.2010 and to that effect already entry is taken in the 'death register' i.e. record maintained by the Municipal Corporation, the present appeal filed by said Imtiyaz Yusuf Shaikh cannot proceed and same stands abated. Accordingly, Appeal stands disposed of.

(PRITHVIRAJ K. CHAVAN, J.)

(S. S. SHINDE, J.)