

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1247 OF 2014

ANIL BHARGAVA AND ANOTHER)...APPLICANTS

V/s.

MAYUR R. KULKARNI & ANR.)...RESPONDENTS

Mr.R.S.Tripathi i/b. Mr.Rajendra Mishra, Advocate for Applicants.

Mr.Abhijeet Kandarkar, Advocate for the Respondent.

Mr.A.R.Kapadnis, APP for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 19th DECEMBER 2019

P.C. :

1 The learned counsel appearing for the respondent no.1 has placed on record copy of the Death Certificate of respondent no.1 Ramesh Kulkarni. The same is taken on record and marked as Exhibit “X” for the purpose of identification. It is seen from the Death Certificate that respondent no.1, who happens to be original complainant, alleged offences punishable under Sections 504, 506 and 420, passed away on 4th October 2015.

2 The learned counsel appearing for the respondent no.1 submits that no application for bringing legal representatives of the deceased respondent (original complainant) is filed before the learned trial court. It is, thus, seen that despite grant of liberty to do so, vide order dated 2nd August 2019, no steps are taken for bringing legal representatives of the deceased respondent/ original complainant on record of the learned trial court. It is, thus, clear that proceedings before the learned trial court stand abated. The instant application, as such, does not survive. It is disposed off accordingly with liberty to applicants to get it restored, in the event the proceedings before the learned trial court are revived.

3 Needless to mention that in the event any such application is filed before the learned trial court, applicants herein are entitled for notice as well as hearing on the said application.

(A. M. BADAR, J.)