

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.166/2007

Waman Krushnaji Kalbande

..VS..

The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Rupali P. Thamekar, Advocate h/f Shri S. M. Bhangade
Advocate for the appellant
Shri V. P. Gangane, APP for the respondent

CORAM : V. M. DESHPANDE, J.

DATED : 12/07/2019

This appeal was filed challenging the judgment and order of conviction passed by the learned Adhoc Additional Sessions Judge-1, Wardha in Session Trial No.37/2006 convicting the appellant for the offence punishable under Section 307 of the Indian Penal Code, 1860.

2] The appeal was admitted on 08/06/2007 and on 3/08/2007 the appellant was released on bail by suspending the substantive sentence.

3] After the paper book was prepared the matter was listed on 20/06/2019 since the counsel for the appellant did not collect the same. On 20/06/2019 a statement was made by the counsel for the appellant that appellant is not contacting him inspite of all the best efforts taken by the learned Advocate. Therefore, Non Bailable Warrant was issued against the appellant.

4] Police Station authorities Hinganghat has filed report in respect of execution of Non Bailable Warrant. In the report it is stated that the appellant who was a liquor addict died on 28/12/2015 due to drowning in Well when he was under the influence of liquor. Photocopy of death certificate of the appellant is also filed on record alongwith the statement of Diwakar Krushnaji Dhage, the father in law of the appellant.

5] The death certificate, the report and the statement of Diwakar Krushnaji Dhage is taken on record and marked collectively as Exh. X.

6] In view of the report that the appellant has expired on 28/12/2015 the present appeal stands abated and **disposed of**.

JUDGE

Namrata