

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPEAL NO. 625/2008**

Smt. Narmada w/o Naresh Shambharkar .vs. State of Maharashtra and Ors.

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

Court's or Judge's orders.

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Mr. B. N. Mohta, Advocate for appellant.  
Mr. M. K. Pathan, A.P.P. for respondent no.1-State.

**CORAM : V.M. DESHPANDE, J.**

**DATED : FEBRUARY 22, 2019**

Heard Mr. Mohta, learned counsel for the  
appellant and Mr. Pathan, learned A.P.P. for respondent  
no.1.-State.

By the present appeal, appellant is  
challenging judgment and order of acquittal dated  
21.11.2007 passed by learned Chief Judicial Magistrate,  
Akola, thereby acquitting respondent nos. 2 and 3 of the  
offence punishable under Section 494 read with Section  
34 of the Indian Penal Code.

The appeal was admitted and paper book was  
already ready.

Mr. Mohta, learned counsel for the appellant  
submitted that he has filed Pursis Stamp No. 971/2019  
along with notice issued by him to appellant by  
registered post. The said envelope is returned with an  
endorsement that appellant Smt. Narmada Naresh  
Shambharkar is dead.

As per the submission of learned counsel for the appellant, since the complainant is dead, the present appeal is dismissed as abated.

**JUDGE**

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