

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRA-S-196-SB of 2001

Date of Decision: May 10, 2019

RamphalAppellant

Versus

State of HaryanaRespondent

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sunil Sihag, Advocate for the appellant.
Mr. Manish Bansal, AAG, Haryana.
Mr. Deepinder Brar, Advocate for the complainant.

MAHABIR SINGH SINDHU, J (ORAL)

Present appeal has been filed against the impugned judgment and order dated 31.01.2001 and 02.02.2001, respectively passed by learned Additional Sessions Judge, Kaithal, thereby convicting the appellant under Sections 218, 323, 342 IPC and sentenced to undergo RI for one year and to pay a fine of Rs.200/- with a default clause to further undergo RI for one month.

This Court on 16.01.2019 passed the following order:-

“The matter pertains to the year 2001. This case was remanded by the Hon’ble Supreme Court way back on 06.01.2010. It has also been pointed out that the appellant is on bail in terms of the order dated 23.02.2001.

Purely in the interest of justice, adjourned to 22.02.2019.

In case the matter is not argued on behalf of the petitioner/ appellant on the date fixed, this Court will be constrained to withdraw the order of suspension of sentence of the appellant/ petitioner.

A photocopy of this order be placed on the file of other connected case.”

Thereafter again, on 22.02.2019, the following order was passed:-

“It has been pointed out by learned Counsel for the appellant that appellant is no more.

Learned State counsel seeks time to verify the aforesaid fact.

Adjourned to 07.03.2019.

Photocopy of this order be placed on the connected case(s).”

Then again on 07.03.2019, the following order was passed:-

“Learned State counsel has produced the photocopy of the death certificate of the appellant-Ramphal, which shows that he has expired on 05.01.2017.

Faced with the situation, learned counsel for the appellant seeks some time to have instructions in the matter.

Adjourned to 14.03.2019.

To be shown in the urgent list.

A photocopy of this order be placed on the file of other connected case.”

Again on 14.03.2019, this Court passed the following order:-

“Learned counsel for the appellant seeks more time for compliance of the previous order of this Court.

On his request, adjourned to 25.04.2019.

A copy of the order be placed on the file of connected case numbered above.”

Today, learned counsel for the appellant has acknowledged the factum of death of sole appellant Ram Phal on 05.01.2017 and further stated that none of the legal representative (s) of the appellant is/ are interested to pursue the present appeal.

In view of the above, present appeal stands abated.

Ordered accordingly.

10.05.2019
raj arora

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

CRA-S-196-SB of 2001

Learned counsel for the petitioner states that in view of the order of even date passed in CRA S-_____, the present revision petition is rendered infructuous.

Ordered accordingly.