

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1) CRA-D-246-DBA of 2003 (O&M)
Date of decision : 27.9.2019

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State of Haryana

.....Appellant

vs.

Dilbag and others

.....Respondents

2) CRR No. 322 of 2003 (O&M)

...

Raj Pal

.....Petitioner

vs.

State of Haryana and others

.....Respondents

**Coram: Hon'ble Mr. Justice Jitendra Chauhan
Hon'ble Mr. Justice H. S. Madaan**

Present: Mr. Vikrant Pamboo, Deputy Advocate General,
Haryana – for the appellant in CRA-D-246-DBA of 2003
and for the respondent No.1 in CRR No. 322 of 2003 .

. Mr. M.S. Saini, Advocate for
the respondents in CRA-D-246-DBA of 2003 and
for respondent Nos.2 to 4 in CRR No. 322 of 2003

None for the petitioner in CRR No. 322 of 2003 .

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H. S. Madaan, J.

Vide this judgment, we intend to dispose of CRA-D-246-
DBA of 2003 titled as 'State of Haryana vs. Dilbag and others' and
CRR No. 322 of 2003 titled as 'Raj Pal vs. State of Haryana', as

both these cases have arisen out of the same judgment.

By way of moving an application under Section 378(3) Cr.P.C. in CRA-D-246-DBA of 2003 the State of Haryana, sought leave to appeal against judgment dated 30.9.2002 passed by Additional Sessions Judge, Jhajjar, vide which accused Dilbag, Rajbir and Anoop Singh, had been acquitted of the charge for the offence punishable under Section 302 read with Section 34 IPC. CRR No. 322 of 2003 has been filed by complainant Raj Pal against the State of Haryana and others against that very judgment of acquittal.

Vide order dated 14.3.2003, leave to appeal was granted and the same was admitted.

Notice of the appeal as well as the criminal revision petition was given to the respective respondents.

As per the office report received on such notices, all the three respondents-accused have expired.

It being so, the present appeal has become infructuous, since even if the appeal/criminal revision petition is accepted, the accused would not be there to be taken into custody and made to undergo sentence.

As such the appeal, as well as the criminal revision petition, are dismissed, accordingly.

27.09.2019	(Jitendra Chauhan)	(H.S. Madaan)
chugh	Judge	Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No