

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceeding Through Video Conferencing****CRA No. 284 of 2007**

- Durga Yadav, S/o Ganga Ram Yadav, aged about 40 years, R/o Lokhandi, Police Station Sarkanda, District Bilaspur.

----Appellant**Versus**

- State of Chhattisgarh, Through Police Station Sarkanda, District Bilaspur, C.G.

---- Respondent

For Appellant	None.
For State	Shri H.S. Ahluwalia, Deputy A.G.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****09/10/2020**

1. This appeal arises out of the judgment of conviction and order of sentence dated 11.04.2007 passed by the Sessions Judge, Bilaspur, C.G. in Sessions Trial No.12/2007, whereby the appellant stands convicted and sentenced as under:-

Conviction	Sentence
Under Section 324 of the Indian Penal Code	Rigorous Imprisonment for two years and fine of Rs.500/-, in default of payment of fine to further undergo rigorous imprisonment for three months
Under Section 25 of the Arms Act	Rigorous Imprisonment for one year and fine of Rs.200/-, in default of payment of fine to further undergo rigorous imprisonment for one month

Under Section 27 of the Arms Act	Rigorous Imprisonment for seven years and fine of Rs.500/-, in default of payment of fine to further undergo rigorous imprisonment for one year
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2. As per report dated 06.04.2009 received from the Station House Officer of Police Station Sarkanda, District Bilaspur, the appellant Durga Yadav was murdered in the intervening night of 29th and 30th May, 2008 and in this regard merged intimation No.46/2008 and FIR bearing Crime No.243/2008 under Section 302/34 of Indian Penal Code have been registered. Along with the said report, copy of the merged intimation and the FIR are also enclosed. This apart, the District and Sessions Judge Bilaspur, after inquiry, has also passed an order dated 13.04.2009 wherein it is mentioned that the accused/appellant has been murdered.
3. The State counsel does not dispute the fact regarding murder of the accused/appellant as mentioned in the report dated 06.04.2009 of Police Station Sarkanda.
4. No application has been filed by the legal heirs or representatives of the deceased to prosecute this appeal.
5. In view of above, the present appeal stands abated due to death of the sole appellant and is disposed of as such.

Sd/-
Gautam Chourdiya
Judge