

NAFRHIGH COURT OF CHHATTISGARH, BILASPURCRA No. 1015 of 2003

- Palu Ram Yadav, S/o- Hajar Ram Yadav, Aged about- 30 years,
R/o- Village-Banhar, Thana- Kotra Road, District- Raigarh (C.G.)

---- Appellant

Versus

- State of Chhattisgarh, through- District Magistrate- Raigarh,
District- Raigarh (C.G.)

---- Respondent

For Appellant : Shri Triveni Shankar Sahu, Advocate.

For State/Respondent : Shri Ishwar Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Ram Prasanna SharmaOrder on Board24/02/2020

1. This appeal is preferred against the judgment dated 17th September, 2003 passed by Special Judge, Raigarh (C.G.) in Special Case No. 24/2002 wherein the said Court convicted the appellant for commission of offence under Section 307 of the Indian Penal Code, 1860 and under Section 3(ii)(v) of the Scheduled Casts and Scheduled Tribes Act, 1989 and sentenced him to undergo R.I. for five years and fine of Rs. 1000/- and R.I. for three years and fine of Rs. 500/- respectively with further default stipulations.
2. As per the report of Special Judge {Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act}, Raigarh, District- Raigarh (C.G.) dated 15th January, 2020 supported with report of Police Station- Kotra Road, District- Raigarh (C.G.) dated 24th November, 2018 (death certificate) and Murg intimation, the appellant is died because he has been killed by the victim of the

present case namely Usat Ram. There is no reason to disbelieve documents submitted in support of the report.

3. In view of the above, as any near relative did not file any application on behalf of the appellant to continue the appeal, the instant Criminal Appeal is finally abated as per Section 394 of the Cr.P.C.,1973. On account of death of the appellant and proceeding of this Court is culminated due to death of the sole appellant.
4. Accordingly, the appeal is finally disposed of as abated.

Sd/-
(Ram Prasanna Sharma)
Judge

Vasant