

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Proceeding through Video Conferencing

Criminal Appeal No. 712 of 2012

- Surendra Kumar Jain, aged about 58 years, S/o Fadalil Jain, Occupation- Labour, R/o Behind Lokbharti School, Ruabhanda Bhilai, P.S. Bhilai Nagar, District Durg (C.G.)

---- Appellant

Versus

- State of Chhattisgarh Through P.S. Bhilai Nagar, District Durg (C.G.)

---- Respondent/State

For Appellant	:	Shri Vivek Sharma, Advocate
For Respondent/State	:	Shri Sameer Sharma, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

14.10.2020

1. This appeal arises out of the judgment of conviction and order of sentence dated 08.08.2012 passed by the Special Judge (NDPS), Durg (C.G.) in Special Case No. 11/2009, whereby the appellant stands convicted and sentenced as under:-

<u>Conviction</u>	<u>Sentence</u>
Under Section 20 (B) (ii) (b) of the Narcotic Drugs and Psychotropic Substance, Act	Rigorous imprisonment for one year and to pay fine of Rs.3,000/-, in default of payment of fine, to further undergo rigorous imprisonment of three months

2. In compliance of the order of this Court dated 25.09.2020, P.U.D. dated 01.10.2020 has been received from the Court of Special Judge, N.D.P.S., Act, Durg (C.G.), wherein it is mentioned that appellant Surendra Kumar Jain S/o Fadali Lal Jain has died on 20.05.2020. Alongwith the said P.U.D., report dated 01.10.2020 of S.H.O., Police Station Bhilai Nagar, District Durg (C.G.) and death certificate of the appellant which was certified by Municipal

Corporation, Bhilai were annexed.

3. The State counsel does not dispute the fact regarding death of accused/appellant as mentioned in the said P.U.D. dated 01.10.2020.
4. No application has been filed by the legal heirs or representatives of the deceased to prosecute this appeal.
5. In view of the above, the present appeal stands abated due to death of the sole appellant and is disposed of as such

Sd/-
(Gautam Chourdiya)
Judge