

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD.**

**CRIMINAL APPEAL NO. 189 OF 2014**

Bibhishan s/o Vishwanath Potbhare

**...Appellant**

**Versus**

The State of Maharashtra

**...Respondent**

.....  
Shri. Aniruddha A. Nimbalkar, Advocate for the appellant  
Shri. S. G. Sangle, APP for respondent/State  
.....

**CORAM : RAVINDRA V. GHUGE  
AND  
B. U. DEBADWAR, JJ.**

**DATE : Friday, the 23<sup>rd</sup> OCTOBER, 2020**

**PER COURT : -**

1. The learned Advocate for the appellant tenders a copy of the provisional Death Certificate dated 28.05.2018 which indicates that the present appellant Bibhishan Potbhare, Convict No. C/9606, aged 49 years, has passed away on 28.05.2018 at 01:15 p.m. He suffered cardiac arrest. He was lodged in the Central Prison, Nashik. The said copy is taken on record and marked as 'X' for identification.

2. The learned Advocate, however, submits, on instructions from the legal heirs of the deceased-appellant, that they do not desire to pursue this appeal.

3. In view of the above, this appeal is abated.

[ B. U. DEBADWAR ]  
JUDGE

[ RAVINDRA V. GHUGE ]  
JUDGE