

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPEAL NO.447 OF 2008**

Deogiri Nagari Co-operative Society Ltd
Through Its Secretary,
Ajinath s/o. Eknath Jadhav .. Appellant
Versus
The State of Maharashtra & Anr .. Respondents

...
Mr S.A. Gaikwad, Advocate for the Appellant
Mr R.B. Bagul, APP for the Respondent / State
...

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

Date : 27-10-2020

PER COURT :-

1. It is informed that, respondent no.2 - original accused Sampat Shamrao Pawar has passed away.
2. The present appeal has been preferred by the original complainant seeking to challenge the judgment of the trial Court dated 03-05-2008 delivered in R.C.C. No.932 of 2004 vide which respondent no.2 has been acquitted.
3. We have perused Section 394 of the Code of Criminal Procedure, 1973 and we find that, the present appeal stands abated in view of the death of Sampat.
4. In view of the above, this appeal stands abated.
5. The Appellant Bank is at liberty, if any other legal remedies are available to it, insofar as recovery of amount is concerned.

**(B. U. DEBADWAR)
JUDGE**

**(RAVINDRA V. GHUGE)
JUDGE**