

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No. 383 of 2001**

1. Santosh Kumar S/o Goverdhan Shrivastava, aged 18 years,
 2. Santosh Kumar S/o Sakhambari Shrivastava, aged 22 years,
- Both residents of Laxman Ban Talab Korba, District Korba (Chhattisgarh)

---- Appellants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Korba, District Korba (C.G.)

---- Respondent/State

For Appellants : None
 For Respondent/State : Shri Rahim Ubwani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J
Order

16.11.2021

1. This appeal arises out of the judgment of conviction and order of sentence dated 31.03.2001 passed by the Additional Sessions Judge, Korba, District Korba (C.G.) in Sessions Trial No. 343/97, whereby each of the appellants stands convicted and sentenced as under:-

<u>Conviction</u>	<u>Sentence</u>
Under Section 304 Part-II of IPC	Rigorous imprisonment for five years and to pay fine of Rs.2,000/- each, in default of payment of fine, to further undergo simple imprisonment for one year

2. In the report dated 12.11.2021 received from Station House Officer, Police Station Kotwali – Korba, District Korba (C.G.), it is mentioned that the appellants have died. Alongwith the said report, death certificates of the appellants are annexed. As per death certificates, appellant No.1 Santosh Kumar S/o Goverdhan Shrivastava died on 08.10.2009 and appellant No. 2 Santosh Kumar S/o Sakhambari died on 11.11.2013.
3. Considering the fact that both the appellants died 08.10.2009 & 11.11.2013, the fact regarding pendency of the present appeal was well within the knowledge of family members of both the appellants and despite that no

applications were moved on behalf of the legal heirs of the appellants to prosecute this appeal, the present appeal stands abated and is disposed of as such.

Sd/-

(Gautam Chourdiya)
Judge

vatti