

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No. 1066 of 2008**

- Phool Chand Gupta age about 60 years S/o Gaya Prasad Gupta R/o Village-Churiya P.S. - Churiya, District Rajanandgaon (C.G.)

---- Appellant

Versus

- State of Chhattisgarh Through P.S. - Churiya, District - Rajnandgaon (C.G.)

---- Respondent/State

For Appellant : Shri Rakesh Thakur, Advocate
 For Respondent/State : Shri Priyanshu Gupta, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J**Order****17.11.2021**

1. This appeal arises out of the judgment of conviction and order of sentence dated 03.12.2008 passed by the Special Judge, Rajnandgaon (C.G.) in Special Case No. 69/2006, whereby the appellant stands convicted and sentenced as under:-

<u>Conviction</u>	<u>Sentence</u>
Under Section 294 of IPC	Fine of Rs.300/-, in default of payment of fine, to undergo simple imprisonment for seven days
Under Section 3 (1) (x) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act	Rigorous imprisonment for six months and to pay fine of Rs.200/-, in default of payment of fine, to undergo simple imprisonment for seven days

2. In the report dated 25.10.2021 received from Special Judge (Atrocities), Rajnandgaon (C.G.), it is mentioned that the appellant has died. Alongwith the said report, death certificate of the appellant is annexed. As per death certificate, appellant Phool Chand Gupta S/o Gaya Prasad Gupta died on 28.07.2019.
3. Considering the fact that both the appellant died on 28.07.2019, the fact regarding pendency of the present appeal was well within the knowledge of family members of both the appellant and despite that no application was moved on behalf of the legal heirs of the appellant to prosecute this appeal, the present appeal stands abated and is disposed of as such

Sd/-

(Gautam Chourdiya)
 Judge