

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No. 501 of 2006

- Vishnu Dhimar S/o Jarhu Dhimar, aged about 64 years, Occupation-selling Chhaana-Falli, R/o Bhothali, P.S. Arjuni, District Dhamtari (C.G.)

---- Appellant

Versus

- The State of Chhattisgarh Through P.S. Arjuni, District Dhamtari (C.G.)

---- Respondent/State

For Appellant : Ms. Vedagni Jangde, Advocate appears on behalf of
Shri D.N. Prajapati, Advocate
For Respondent/State : Shri Afroz Khan, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J
Order

10.11.2021

1. This appeal arises out of the judgment of conviction and order of sentence dated 26.06.2006 passed by the Additional Sessions Judge, Dhamtari, Sessions Zone Raipur (C.G.) in Sessions Trial No. 228/2005, whereby the appellant stands convicted and sentenced as under:-

<u>Conviction</u>	<u>Sentence</u>
Under Section 450 of IPC	Rigorous imprisonment for three years and to pay fine of Rs.100/-, in default of payment of fine, to further undergo rigorous imprisonment for one month
Under Section 376 (1) of IPC	Rigorous imprisonment for seven years and to pay fine of Rs.100/-, in default of payment of fine, to further undergo rigorous imprisonment for one month
Both the sentences to run concurrently	

2. In the report dated 28.09.2021 received from the Additional Sessions Judge, Dhamtari, District Dhamtari (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 Vishnu Dhimar S/o Jarhu Ram Dhimar died on 30.10.2017.
3. Considering the fact that the appellant died 30.10.2017, the fact regarding

pendency of the present appeal was well within the knowledge of family member of 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

vatti