

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 246 OF 2000

Jyotiram Vishnu Jagtap.

...Appellant.

Versus

The State of Maharashtra.

..Respondent.

Mr. P. D. Davli for the appellant.

Ms. S. V. Sonawane, APP for the Respondent-State.

CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ.

Date : **August 17, 2021.**

P. C. :

1. Learned counsel for the appellant invited our attention to the order of this Court dated 5th August 2021. The order reads thus :

"1. Mr. Dalvi, learned counsel for the appellant, invited our attention to the order passed by this Court on 22nd July, 2021. Mr. Dalvi also tendered an original postal packet having an endorsement "Deceased R/S/19-7-21". The said postal packet was returned to the learned counsel for the appellant. The original postal packet is taken on record. Thus, perusal of the postal packet only supports the submission of learned counsel for the appellant made before this Court on 22nd July, 2021.

2. Mrs. Sonawane, learned APP, prayed for a short adjournment on the ground that the area of residence of the appellant viz., Ichalkarnaji which is a part of Kolhapur District, recently suffered floods, and as such, there is delay in communication. At the request of learned APP, stand over to 17th August 2021, as a last chance."

2. Today, learned APP Ms. Sonawane placed before us copy of the death certificate. The death certificate is issued under the signature of competent authority of Ichalkaranji Municipal Council and its stated that Jotiram Vishnu Jagtap expired on 1st October 2011, who was permanent resident of Ichalkaranji town. Copy of the death certificate supports the statement made before this Court on 5th August 2021.

3. In view of these facts, nothing survives in the appeal. The appeal, as such, stand abated.

[N R. Borkar, J.]

[Prasanna B. Varale, J.]