

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

INTERIM APPLICATION NO.2177 OF 2021

IN

CRIMINAL APPEAL NO.969 OF 2013

RAJESH
VASANT
CHITTEWAN
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by RAJESH
VASANT
CHITTEWAN
Date: 2021.09.23
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Vishwas Jayram More
(since deceased) through L Rs.

Sunita Vishwas More

And Another

... Applicants

Versus

The State of Maharashtra

And Others

... Respondents

.....

Mr Omkar Gopal Nagwekar for the Applicants.

Mrs. P.P. Shinde, APP for the State.

Mr. S.G. Kawale, PSI, Nagpada Police Station present.

.....

**CORAM : NITIN JAMDAR AND
G.A. SANAP, JJ.**

DATE : 22 SEPTEMBER 2021

P. C. :

. This Appeal is filed by the State challenging the judgement and order passed by the learned Sessions Judge in Sessions Case No.170 of 2003. Trial was conducted against eleven accused. By impugned order, the learned Sessions Judge has acquitted the Accused. Challenging this order, the present Criminal Appeal is filed.

2 Interim Application No.2177 of 2021 is filed by the heirs of Vishwas Jayram More, original Accused No.1 and Respondent No.1 in this appeal stating that Vishwas Jayram More is expired on 3 September 2018. The death certificate is annexed to the application. Learned APP had taken time to verify the position. Learned APP states that the instructions have been received from the concerned police station that it is correct that Vishwas Jayram More, Respondent No.1 expired and, therefore, the Appeal as against Accused No.1 will abate. Accordingly, Criminal Appeal No.969 of 2013 stand abated as against Respondent No.1. The Interim Application is accordingly, disposed of.

(G.A. SANAP, J.)

(NITIN JAMDAR, J.)