

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**911 CRIMINAL APPLICATION NO.1417 OF 2022
IN APPEAL/60/2013**

SHAHAJI NATHAJI MAKASARE SINCE DECEASED THROUGH HIS L.R.S
1) KUSUM W/O SHAHAJI MAKASARE AND OTHERS

VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Ms. Yugandhara Namde h/f Mr. Deshmukh
Devang R.

APP for Respondent-State : Mr. S. P. Deshmukh

...
**WITH
APPEAL/60/2013**

THE STATE OF MAHARASHTRA
VERSUS
SHAHAJI NATHAJI MAKASARE

...
APP for Appellant : Mr. S. P. Deshmukh
Advocate for Respondent : Ms. Yugandhara Namde h/f Mr. Deshmukh
Devang R.

...

**CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 30-06-2022**

ORDER :

1. Vide Criminal Application No.1417 of 2022 the applicants who are the widow and sons of original respondent Shahaji Nathaji Makasare have disclosed that Shahaji expired on 29-04-2021, and therefore, they submit that the appeal be treated as abated in view of his death and the appeal be disposed of.

2. In view of the said application, learned APP was directed to verify since it was the appeal of the State.

3. Learned APP now submits that in spite of his two communications to the Police Inspector, Tophkhana Police Station, Ahmednagar, the concerned officer has not responded to him.

4. As a precaution in fact the learned APP was directed to verify the situation otherwise the photocopy of death certificate issued by Municipal Corporation, Ahmednagar, has been produced by the applicants.

5. In view of the fact that has been brought on record that the original respondent expired, the appeal stands disposed of as abated.

6. The application stands allowed and disposed of accordingly.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.