

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

CRIMINAL APPEAL NO. 306 OF 2016

Subhash Ramchandra Durge

..Appellant

Versus

Deepak Dadoba Gurav & Anr.

..Respondents

Mr. Jayant J. Bardeskar, for Appellant.

Mr. Y. Y. Dabke, APP for State/Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 16th SEPTEMBER 2022

PC :

1. This an Appeal against the acquittal. The report of the learned Additional Sessions Judge, Kolhapur in respect of compliance of Section 390 of Cr.p.c. mentions that the Respondent No.1 has died on 21/06/2017. A copy of death certificate is also annexed to the report. Therefore, under the provision of Section 394(1) of Cr.p.c. this being an Appeal against the acquittal, it finally abates on the death of the accused/Respondent No.1. Therefore, nothing further survives in this Appeal and the Appeal is disposed of as it has abated against the Respondent No.1.

(SARANG V. KOTWAL, J.)