

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO.97/2022

IN

CRIMINAL APPEAL NO.372/2020

Sheikh Husen S/o. Sheikh Maheboob Kureshi Vs. The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri R. M. Daga, Advocate for Applicant.
Shri M. K. Pathan, A.P.P. for Non-applicant/State.

CORAM : V. M. DESHPANDE AND
AMIT BORKAR, JJ.

DATE : 29/04/2022.

1. This is an application for suspension of substantive jail sentence and for grant of bail.

2. Criminal Appeal No.372/2020 was filed by the original accused No.3 - Sheikh Husen s/o. Sheikh Maheboob Kureshi along with one Sheikh Salman s/o. Sheikh Ahemad. However, application for suspension of substantive jail sentence was filed by Sheikh Husen s/o. Sheikh Maheboob Kureshi (appellant No.2). This application was taken up for hearing on 13.04.2022. Shri R. M. Daga, learned counsel for the applicant submits that he received instructions from the relatives of the applicant Sheikh Husen s/o. Sheikh Maheboob Kureshi that during the pendency of this application and appeal, he passed away. Therefore, we directed the learned A.P.P. to verify the said aspect.

3. Accordingly, today, when the matter was taken up, learned A.P.P. Shri M. K. Pathan placed on record various documents including the report from the Superintendent of Amravati Central Prison to show that applicant Sheikh Husen s/o. Sheikh Maheboob Kureshi passed away in the Government Hospital, Amravati on 09.02.2022. All the documents are taken on record and collectively marked as 'Exhibit-X' for the purpose of identification, which include statements of relatives also. In that view of the matter, the application does not survive. The same is accordingly disposed of.

CRIMINAL APPEAL NO. 372/2020

This appeal, in view of the fact that appellant No.2 Sheikh Husen s/o. Sheikh Maheboob Kureshi passed away when he was undergoing his jail sentence, stands abated qua him and the appeal shall continue against the appellant No.1 - Sheikh Salman s/o. Sheikh Ahemad.

JUDGE

JUDGE

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