

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRA-S-570-SB-2004 (O&M)
Decided on : 15.12.2022**

Jagir Singh

. . . Appellant(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None for the appellant(s).

Mr. JS Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Order dated 23.11.2022, says as under:-

“In trial in case FIR No.6 dated 08.01.1997, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Sadar Abohar, Ferozepur, appellant- Jagir Singh was convicted and sentenced for a period of 02 years along with fine of Rs. 1000/- vide judgment/order dated 21.05.2003 passed by the Court of learned Special Judge, Ferozepur.

Subsequently, vide order dated 12.03.2004 passed by the then co-ordinate Bench of this Court, appellant- Jagir Singh was granted bail by suspending the order of sentence dated 21.05.2003.

Today, there is no representation on behalf of appellant.

However, learned State counsel has furnished a photostat copy of death certificate of Jagir Singh. As per death certificate, appellant- Jagir Singh has expired on 31.08.2019. In regard to factum of death, statements of Daljit Singh, Sarpanch of village Lakhmireana, District Muktsar Sahib and Dalip Singh who is son of appellant- Jagir Singh (now deceased) dated 21.11.2022, have also been furnished by learned State counsel in the Court today.

Copy of death certificate dated 21.11.2019 as well as statements of Daljit Singh, Sarpanch of village Lakhmireana, District Muktsar Sahib and Dalip Singh s/o Jagir Singh, are taken on record.

Registry is directed to tag the same at appropriate place.

For further consideration, adjourned to 24.11.2022.”

Learned State counsel points out that this Court has already dealt with the provisions of Section 394 of Cr.PC in **IOIN-CRA-S-4686-SB-2018 in CRA-S-4686-SB-2018**, titled as, “**Shivji Ram @ Dimple Vs. State of Punjab**”, decided on **24.11.2022**, and further, considering the said provision of law, viz-a-viz, judgments passed by the other Courts, including of the Hon’ble Apex Court, already this Court passed in **Shivji Ram @ Dimple’s case** (supra), the present appeal may be disposed of.

In view of said circumstances, present appeal stands abated, and same is disposed of as such. However, disposal of the present appeal will be subject to the terms & conditions, passed by this Court in **Shivji Ram @ Dimple’s case** (supra).

Pending criminal miscellaneous application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

December 15, 2022

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No