

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

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**CRM-14828-2019 IN/AND
CRA-S-4413-SB-2018
Decided on : 27.09.2022**

Sukhdev Singh @ Sukha

. . . Appellant(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Karan Kalra, Advocate for
Mr. Sandeep Verma, Advocate
for the appellant(s).

Mr. A.S. Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Order dated 25.08.2022, says as under:-

“Custody certificate dated 24.08.2022, filed by learned State counsel, is taken on record.

Learned counsel for the applicant submits that as per his information applicant-appellant has expired.

While supporting the submission made by learned counsel for the applicant-appellant, learned State counsel submits that applicant-appellant was released on parole for eight weeks on 03.06.2020 and as per the information received, the applicant has died while on parole. He seeks time to place on record the death report/certificate of the applicant-appellant.

May do so, well before the next date of hearing.

Adjourned to 27.09.2022.”

In compliance to the order dated 25.08.2022, learned State counsel has filed the report by way of affidavit of Jasmeet Singh, PPS, Deputy Superintendent of Police, Sub Division Faridkot, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the learned counsel for the appellant.

Learned State counsel points out paragraph No.3 of the aforesaid report, which says as under:-

“3. That pursuant with the directions of this Hon’ble Court, ASI Swaran Singh of P.S. City Faridkot has been deputed to verify the fact of death of appellant/petitioner. The concerned ASI on 11.09.2022 went to the Village Bharoli Bhan at the house of the petitioner Sukhdev Singh alias Sukha, where his father Rajwant Singh was present and recorded his statement that his elder son Sukhdev Singh who was involved in a criminal case under NDPS Act and after conviction he was confined at Modern Central Jail, Faridkot. He was released on parole and during his release from confinement, he had died at his native place. He also produced copy of death certificate of his son Sukhdev Singh depicted the petitioner has died on 12-03-2021. Copy of death certificate of Sukhdev Singh and statement of Rajwant are annexed herewith and marked Annexure: R-1 and R-2/T.”

As is clear from the aforesaid reply that applicant-appellant Sukhdev Singh @ Sukha has already expired on 12.03.2021 at his native village, during his parole period and the said fact is also affirmed by learned counsel for the appellant as well.

Since the main appeal was admitted vide order dated 21.11.2018, on oral request of learned counsel for the appellant, same is taken on board for hearing today itself.

Keeping in view the fact that appellant Sukhdev Singh @ Sukha, has indeed expired on 12.03.2021, which is also affirmed by learned counsel for the appellant as well as learned State counsel, and there is no one else to contest on the issue of conviction, the present appeal is ordered to have been abetted.

Pending criminal miscellaneous application(s) are also disposed of, accordingly.

(SANJAY VASHISTH)
JUDGE

September 27, 2022
J.Ram

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