

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

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CRA-S-907-2020 (O&M)

Date of Decision: August 25, 2022

STATE OF HARYANA

...Petitioner

Versus

RAJU

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Ms. Aditi Girdhar, AAG, Haryana for the appellant.

None for the respondent.

AMAN CHAUDHARY, J.(Oral)

In this appeal preferred by State of Haryana, the challenge is to the judgment dated 5.10.2019, passed by Additional Sessions Judge, Bhiwani, who had convicted respondent-Raju but sentenced him to the period of imprisonment already undergone by him and to pay fine of Rs.10,000/- for commission of offence punishable under Section 15(1)(B) of NDSP Act, to award adequate sentence.

The order passed in this reveals that notice in application for condonation of 64 days delay as well as in the appeal was issued by this Court on 19.4.2022 for today.

In pursuance to notice, a report dated 24.5.2022 has been received from the Chief Judicial Magistrate, Bathinda, wherein it has been mentioned that the notice could not be served upon respondent-Raju as he had died as stated by Surjit Singh, ex member.

In view of provision of Section 394(1) of Cr.P.C., this appeal would finally abate on the account of death of accused-respondent.

Ordered accordingly.

August 25, 2022

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**(AMAN CHAUDHARY)
JUDGE**

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No