

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

IOIN- CRA-D-257-2020 in/and
CRA-D-257-2020

Date of Decision: December 14, 2022

NEETU KUMAR Appellant

Versus

STATE OF PUNJAB Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE

Present: None for the appellant.
Mr. M.S. Tiwana, AAG, Punjab.

LISA GILL, J.

Appellant, in this case, has challenged judgment and order dated 04.02.2020 whereby he has been convicted for the offence punishable under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act (for short – ‘NDPS Act’) and Section 483 IPC by the learned Additional Sessions Judge, Faridabad and has been sentenced as under:

Under Section	R.I.	Fine	In default of payment of fine
22(c) NDPS Act	To undergo rigorous imprisonment for ten (10) years	Rs.1,00,000/- (One Lakh only)	One year
483 IPC	To undergo rigorous imprisonment for two (2) years	Rs.2,000/- (Two Thousand only)	Two months

It is informed that the appellant has passed away on 15.05.2021.

Perusal of the file reveals that factum of the appellant having

which had been filed seeking suspension of sentence of the appellant. This order was passed in the presence of learned counsel for the appellant and the application for suspension of sentence of the appellant, was rendered infructuous with the further observation that as regards the appeal, it would have to be seen whether the next of kin of the appellant wish to pursue it or not. No application whatsoever has been filed seeking continuation of appeal filed by the appellant.

This appeal has been put up before us by the Registry for appropriate orders in view of the fact that the appellant has since passed away.

None has appeared on behalf of the appellant/legal representatives, despite learned counsel being notified of the date fixed.

The appeal is taken on Board for hearing today itself.

Keeping in view the facts and circumstances, present appeal abates on the death of the appellant. Appeal is disposed of, accordingly, However, liberty is afforded to the next of kin of the appellant to file appropriate application, if so advised, within four weeks.

Copy of this order be conveyed at the address of the appellant as reflected in judgment dated 04.02.2020 passed by the learned Judge, Special Court, Sangrur.

**(LISA GILL)
JUDGE**

**(RITU TAGORE)
JUDGE**

December 14, 2022

rts