

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-7782-2017 (O&M)
Date of decision: 20.12.2022

BALWINDER SINGH

....Petitioner(s)

Versus

GURPAL SINGH

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. B.S.Bhalla, Advocate
for the petitioner.

Mr. J.S. Bagga, Advocate
For respondent.

AMAN CHAUDHARY. J.

At the outset, learned counsel submits that the petitioner Balwinder Singh has since died on 21.05.2018 and prays that the present petition be disposed of as having been rendered infructuous. He has produced the copy of the order dated 28.09.2022, passed by the learned Additional Sessions Judge, Kapurthala, which is taken on record as Mark-A, wherein the aforesaid fact has been recorded, which reads thus:-

“Today the file is listed for awaiting death report of appellant Balwinder Singh from the concerned SHO. However, perusal of the file shows that earlier the report was received back from the SHO, P.S.City, Kapurthala to the effect that Balwinder Singh appellant has died, but the copy of the death certificate was not available. The file also contains the summons sent for the service of appellant Balwinder Singh alongwith the report made by his son Sahib Singh that the appellant Balwinder Singh died on 21.05.2018. The said report is also attested by the Sarpanch Gram Panchayat, village Randyala, District Moga dated 28.11.2019 and said report is also supplemented by copy of the death certificate of Balwinder Singh,

which shows that Balwinder Singh has died on 21.05.2018. So since death certificate of the accused/appellant Balwinder Singh is already on the record and a report has also been made by the Sarpanch of the Gram Panchayat, where he was residing, so the appeal stands abated on account of death of the appellant/accused. Trial Court record alongwith copy of this order be sent back. This file be consigned to the Record Room.”

In view of the above, present petition is disposed of as having been rendered infructuous.

(AMAN CHAUDHARY)
JUDGE

December 20, 2022

S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No