

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 98 of 2006

Dr.Devidas Keshav Divakar .. Appellant
Versus
The State of Maharashtra .. Respondent
...

None for the appellant.
Ms.A.A.Takalkar, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 9th MARCH 2023

P.C:-

1 By the present Appeal, the judgment and order dated 31/12/2005 in Special Case No.17 of 2004, under which the appellant stood convicted for the offence punishable under Section 7 and 13(1)(d) r/w 13(2) of the Prevention of Corruption Act, 1988, is assailed.

Upon conviction, he was sentenced to suffer RI for a period of two years and to pay a fine of Rs.5,000/- on each count.

2 The Appeal is pending on the file of this Court since 2006 and during its pendency, the appellant expired on 28/3/20022. This was informed through a communication addressed by Dr.Shailaja Devidas Diwakar, wife of the appellant

on 1/8/2022, the letter being accompanied with a death certificate.

3 Upon this event being brought to the notice of the Court, this Court directed the Registry to address a letter to Dr. Mrs.Shailaja Diwakar, ascertaining whether she is interested in prosecuting the Appeal. Accordingly, a letter was addressed to her and this Court directed to file the compliance report.

The Registry has notified that despite the letter being addressed to her, she has not responded.

4 In the wake of the aforesaid circumstances, since there is no response from the wife of the appellant to the effect that she need to prosecute the Appeal, the same deserve dismissal and is accordingly dismissed.

(SMT. BHARATI DANGRE, J.)