

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

357

CRA-S-1061-SB-2004 (O&M)

Decided on : 16.02.2023

Om Parkash

. . . Appellant(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Arvind Thakur, Advocate
for the appellant in CRA-S-1061-SB-2004.

Mr. Gurlal Singh Dhillon, AAG, Punjab

SANJAY VASHISTH, J. (Oral)

Accused-Om Parkash and Mohinder Lal were tried by the Court of Ld. special judge Fatehgarh Sahib, vide sessions case No.38/T/25.8.2000 in case FIR No.97 dated 30.5.2000 under Section 20 of NDPS Act Police Station Sirhind. Vide judgment dated 14.05.2004, both the accused were held guilty for committing an offence under Section 20 of the NDPS Act and were sentenced for a period of 3 years along with fine amount of Rs.1000/- each.

Thereafter CRA-S-1061-SB-2004 was filed before this Court by convict Om Parkash and today counsel for the appellant, while appearing submits that appellant has expired, during the pendency of appeal. Photocopy of death certificate dated 20.11.2017 issued by the Health and Family Welfare Department, Government of India, wherein death of appellant-Om Parkash has been recorded as 19.9.2017, is taken on record, subject to all just exceptions. Office is directed to tag the same at appropriate place.

Relying upon the copy of death certificate, counsel for the appellant states that appeal qua Om Parkash (CRA-S-1061-SB-2004) be disposed of being abated.

In view of said circumstances, present appeal stands abated, subject to the terms & conditions laid down in IOIN-CRA-S-4686-SB-2018 in CRA-S-4686-SB-2018, titled as, “Shivji Ram @ Dimple Vs. State of Punjab”, decided on 24.11.2022, 2022 SCC OnLine P&H 3759, Law Finder Doc ID #2076392.

Appeal stands disposed of.

Pending criminal miscellaneous application(s), if any, also stand disposed of.

However, it is clarified that connected appeal bearing No.CRA-S-1128-SB-2004 titled as Mohinder lal Vs. State of Punjab has already been decided on 09.02.2023, by a separate order.

(SANJAY VASHISTH)
JUDGE

February 16, 2023

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