

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

**CRM-9298-2023 in/and
CRA-D-276-DB-2016 (O&M)
Date of Decision: 27.04.2023**

**SWARANJIT SINGH @ PAPPA
Versus**

..... Applicant/Appellant(s)

STATE OF PUNJAB

..... Respondent(s)

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

Present: Mr. A.S. Manaise, Advocate for
Mr. Saurabh Arora, Legal Aid Counsel
for the applicant-appellant.

Mr. M.S. Tiwana, AAG, Punjab.

LISA GILL, J.

1. This appeal has been filed by the appellant challenging judgment dated 18.04.2014 and order of sentence dated 21.04.2014, passed by the learned Sessions Judge, Moga, whereby he has been convicted for the offence punishable under Section 302 IPC and sentenced to undergo imprisonment for life besides pay ₹5,000/- as fine and in default of payment of fine to further undergo rigorous imprisonment for one year. Present appeal was admitted on 18.03.2016.

2. CRM-9298-2023 was filed on behalf of applicant/appellant, seeking suspension of sentence imposed upon him. However, it transpires that applicant/appellant passed away on 13.08.2016. Present appeal has been filed through Legal Aid and application seeking suspension of sentence was filed keeping in view the custody period of the appellant without learned counsel being aware about death of the appellant.

3. Status report by way of affidavit dated 27.04.2023 of Mr. Manjit Singh, PPS; Deputy Superintendent of Police, (Subdivision), Nihal Singh Wala, District Moga, filed in Court today with a copy thereof to learned counsel for the appellant, is taken on record subject to just exceptions. Photocopy of death certificate of the applicant/appellant is taken on record, subject to just exceptions.

4. It is to be noted that as present appeal has been filed through Legal Aid, information was sought as to whether any legal representative of appellant seeks to continue with the present appeal. It is stated in aforementioned affidavit dated 27.04.2023 that no relative of appellant has come forward to pursue the appeal.

5. Learned counsel for the applicant-appellant submits that he too has not received any information whatsoever either of death of appellant or of any other person who wants to pursue present appeal.

6. At request and with consent of learned counsel for the parties, appeal is taken on Board for hearing today itself. Keeping in view the factum of death of the appellant on 13.08.2016 and that none has come forward to pursue the appeal, same abates and is disposed of accordingly.

7. Pending applications, if any, are disposed of accordingly.

8. A copy of this order be conveyed at the given address of the appellant with liberty to his legal heirs, if any, to file appropriate application within four weeks, if so advised.

**(LISA GILL)
JUDGE**

**(RITU TAGORE)
JUDGE**

27.04.2023

Sunil

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