

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

(262)

**2023:PHHC:098561
CRA-S-1553-SB-2012(O&M)
Date of Decision: 01.08.2023**

Tota Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL.

Present:- None for the appellant.

Mr. J.S. Mehndiratta, Addl. A.G., Punjab with
Mr. Rohit Bansal, Sr. D.A.G., Punjab.

VIKAS BAHL.J (Oral)

1. The present appeal had been filed by Tota Singh son of Babu Singh resident of Village Didar Singh Wala, P.S. Nihal Singh Wala, District Moga challenging the judgement dated 5.5.2012 passed by learned Special Judge, SAS Nagar, Mohali vide which the sole appellant namely Tota Singh had been convicted in case bearing FIR No.12 dated 14.6.2002 under sections 420, 467, 468, 471, 120-B IPC, 13(1)(c)(d)(e) read with sections 13(2) of Prevention of Corruption Act, 1988 registered at Police Station, Vigilance Bureau Flying Squad-1, SAS Nagar, Mohali.

2. On the last date of hearing, it was brought to the notice of the court that the sole appellant namely Tota Singh had died and the State was directed to file Death Certificate of said Tota Singh. In pursuance of the said order, the State has produced on record the Death Certificate which is taken on record as Mark-A and as per the same Tota Singh son of Babu Singh had died on 21.5.2022 at 4.42 A.M.

3. As per the provisions of Section 394 Cr.P.C, appeal in such a situation is to be abated. It would be relevant to mention that none of the relatives of the appellant had filed an application within a period of 30 days from the date of death of the appellant seeking permission of the court to continue the appeal.

4. In the said facts and circumstances, the present appeal stands disposed of as abated.

5. All the pending miscellaneous applications, if any, stand disposed of in view of the above said order.

(VIKAS BAHL)
JUDGE

01.08.2023

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