

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.574 OF 2013

The State of Maharashtra ...Appellant
 vs.
 Abdul Gafur Shamsuddin Kazi and Anr. ...Respondents

Mr. V.N. Sagare:	APP for Appellant - State.
Ms. Nida Basade h/f Mr. Sandeep Kekane:	For Respondent No.1.

**CORAM : S. M. MODAK, J.
DATE : 18th MARCH 2024**

P.C. :-

1. Heard learned Advocate for the two deceased - Respondents. As directed on the last date, the copy of death certificates of both the Respondents are produced, taken on record and marked collectively as Annexure 'A'. The details are as follows:-

- (a) Respondent No.1 – Abdul Gafur Shamsuddin Kazi expired on 14th November 2015. Death certificate is issued by M.C.G.M.
- (b) Respondent No.2 - Ismail Shamsuddin Kazi expired on 23rd January 2021. Death certificate is issued by Diva

Prabhag Samiti The Municipal Corporation of City of
Thane.

2. This is an Appeal preferred under Section 378(3) of Cr.P.C. against the judgment of acquittal passed by the J.M.F.C. for offence punishable under Sections 465, 471 r/w 34 of IPC. As per the provisions of Section 394(1) of Cr.P.C every appeal abates on the death of the accused.

3. Hence, Appeal stands abated.

[S. M. MODAK, J.]