

**IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side**

CRA 89 of 1993

In the Matter of: **Mulchand Gupta**

.... Appellant

Mrs. Faria Hossain, Ld. A.P.P.

Mr. Asif Dewan, ... for the State

1. Nobody appears on behalf of the appellant.
2. State is represented.
3. In pursuance of the direction a report is submitted by the Commissioner of Police, Howrah, which is handed over by the learned Advocate for the State within course of the hearing. The report submitted by the Commissioner of Police, Howrah, is taken on record.
4. The said report indicates that during pendency of this appeal the sole appellant namely, Mulchand Gupta, has been expired on 23.12.2008. The photocopy of certificate of death of the said appellant was collected and tagged with the report which also affirms the death of the said appellant.
5. As the sole appellant has been died during the pendency of this appeal the instant appeal stands abated against him.
6. Thus, the criminal appeal be and the same is dismissed as abated.
7. Let a copy of this order along with Trial Court Record be sent down to the Trial Court immediately.
8. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Prasenjit Biswas, J.)

