

25.09.2025
Item No.24
Ct. No. 446
PG

CRA 720 of 2013
+
I.A. CRAN 1 of 2013 (Old No. CRAN 2997 of 2013)

Sri Sanjib Kumar Singh
Vs.
Sri Tapan Chakraborty & Anr.

Mr. Ranabir Roychowdhury
Ms. Manisha Sharma For the State

1. This instant criminal appeal has been filed under Section 378(4) of the Code of Criminal Procedure against the judgment and order passed by the learned Additional Sessions Judge, 5th Court, Howrah in Criminal Appeal No.4 of 2010 arising out of an order and judgment passed by the learned Judicial Magistrate, 2nd Court, Howrah in complaint case no.1272 C/ 2006 dated 12.01.2010 thereby acquitting the accused from the commission of offence punishable under Section 138 of the N.I. Act.
2. The appeal was filed in the year 2013 and alongwith that an application for condonation of delay was also filed, which was subsequently condoned.
3. Since thereafter, the matter remained pending and by virtue of the order passed by this Court, an Administrative Notice was issued, which revealed that the notice could not be served upon the appellant due to insufficient address.

4. Subsequently, further direction was given to the State/respondent no.2 to make an effort to find out the exact address of the person concerned and to submit a report. Accordingly, a report has been furnished today by the Officer-in-Charge, Golabari Police Station, Howrah Police Commissionerate addressed to learned Public Prosecutor, which revealed that the sole appellant Sanjib Kumar Singh had died on 30.11.2023 at Shree Jain Hospital and Reach Centre under P.S. Shibpur, District – Howrah. Accordingly, a death certificate has also been collected, which is also found as Annexure with the said report and which also substantiated the said factum.
5. Let the report filed by the Officer-in-Charge, Golabari Police Station be kept with the record.
6. In view of the development and death of the sole appellant, there remains nothing for adjudication.
7. Accordingly, let this appeal be abated.
8. Hence, this criminal appeal stands disposed of as abated.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Chaitali Chatterjee (Das), J.)