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

CRA-S-2109-SB-2004 (O&M)
Date of decision: 04.07.2025

Raja Ram

... Appellant

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Zorawar Chauhan, Advocate (*through video conferencing*) and,
Ms. Shreya Bublani, Advocate
for the appellant.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. Present appeal has been preferred against the judgment of conviction dated 15.10.2004 and the order of sentence dated 20.10.2004 passed by learned Additional Sessions Judge, Rewari, in FIR No.123 dated 12.08.2000 under Sections 376, 511, 506 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Bawal, vide which the appellant was convicted under Sections 366, 376/511, 506 of IPC and was ordered to undergo rigorous imprisonment for a maximum period of 05 years and to pay a fine of Rs.10,000/- along with default mechanism.

2. Learned counsel for the appellant has produced copy of the death certificate dated 05.01.2022 before this Court and submits that during pendency of the appeal, the appellant had died on 19.12.2021. Photostat copy of death certificate of the appellant is taken on record as Mark 'A'.

3. In view of the judgment rendered by this Court in ***Shivji Ram @ Dimple Vs. State of Punjab, 2023 (1) R.C.R. (Criminal) 738*** as well as by Full Bench of the Kerala High Court ***Pazhani S/o Chami Vs. State of Kerala, 2017(1) R.C.R. (Criminal) 1045***, present appeal is disposed of with the following directions:

- (i) Present appeal shall stand abated on account of death of the appellant.
- (ii) The State exchequer shall be at liberty to recover the fine amount by adopting due process of the law.
- (iii) If State chooses to start recovery process of the amount of fine from the estate of the deceased appellant, a valid notice in that regard would be served upon his legal heir(s), who have a vested right in the said estate.
- (iv) If any such legal heir(s) or any interested person(s) are aggrieved with the process of recovery of fine, they may move an appropriate application before this Court seeking revival of the appeal. However, the same must be done within a period of 30 days of receipt of such notice.

(v) Such legal heir(s) or any interested person(s) would also be at liberty to deposit the total amount of fine, which is subject matter of the appeal, in the office of concerned authority.

(vi) If revived, the appeal shall be heard on merits.

4. All the pending miscellaneous application(s), if any, shall stand disposed of.

04.07.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No